

THESIS

THE EFFECT OF THE REDEMPTION POINT ON  
WILLINGNESS TO HIRE EX-OFFENDERS

Submitted by

Lauren Cotter

Department of Psychology

In partial Fulfillment of the requirements

For the Degree of Master of Science

Colorado State University

Fort Collins, Colorado

Summer 2014

Master's Committee:

Advisor: Jeanette N. Cleveland

Ernest L. Chavez

Kevin R. Murphy

Raymond L. Hogler

Copyright by Lauren Elizabeth Cotter 2014

All Rights Reserved

## ABSTRACT

### THE EFFECT OF THE REDEMPTION POINT ON WILLINGNESS TO HIRE EX-OFFENDERS

The use of criminal background checks in selection has become widespread with increasing ease of access of such information online. The present study examined the effects of criminal history, race, and knowledge of the Equal Employment Opportunity Commission's *Enforcement Guidance* including the redemption point on hiring decisions. Results indicated that criminal history plays a significant role in perceptions of employability yet knowledge of the redemption point does not mitigate the negative effects of past criminal history.

## TABLE OF CONTENTS

ABSTRACT.....	ii
INTRODUCTION.....	1
METHODS.....	22
RESULTS.....	28
DISCUSSION.....	35
CONCLUSIONS.....	44
TABLES.....	45
REFERENCES.....	49
APPENDICES.....	58

## **Introduction**

### **Criminal Background Checks: An Emerging Trend in Selection**

Criminal background checks have become increasingly popular over the past two decades (Blumstein & Nakamura, 2009), with 51% of organizations reporting their use in 1996 and 85% in 2007 (Isaacson, Griffith, Kung, Lawrence, & Wilson, 2008). Holzer, Raphael, and Stoll (2006) report approximately 50% of employers use criminal background checks at least some of the time. This sharp increase potentially could be due to the increased electronic accessibility of criminal backgrounds (Blumstein & Nakamura, 2009). Furthermore, when employers do not have access to criminal background checks, they sometimes rely on publically available statistics to determine the likelihood of their applicant having a criminal history, based on demographic information like race and gender (Holzer et al., 2006). This is referred to as statistical discrimination.

There is a clear preference among employers to hire non-offenders. Holzer, et al. (2006) report that over 60% of employers are reluctant to hire ex-offenders. The unwillingness to hiring ex-offenders is stronger than that of hiring other marginalized groups, such as applicants on welfare, those with a general equivalency diploma (GED), or those with gaps in employment. These findings are supported by Graffam, Shinkfield, and Hardcastle's (2008) study. They note that employers perceive ex-offenders as less likely than any other marginalized group to obtain and maintain employment. One possible explanation is the perception that ex-offenders lack the necessary skills and characteristics to be employed.

This paper will discuss the current literature connecting criminal background checks to job performance as well as the potential disparate impact against males, African Americans, and Hispanics. It will also discuss the theory behind criminal behavior and the notion of a redemption

point, the point at which an ex-offender is no more likely than a non-offender to commit a crime. This discussion will lead to an examination of how awareness of the redemption point could affect hiring decisions. The study manipulates offender-status, race, and knowledge of the redemption point in determining perceived employability. The results could influence how organizations train hiring managers to select employees.

### **Rationale for the Use of Criminal Background Checks**

Organizations are using criminal background checks as a selection tool for a variety of reasons. In some situations, criminal background checks are required. For example, jobs that involve working with sensitive populations or that have a component of public safety, like a schoolteacher, require criminal background checks. However, not all organizations that use criminal background checks are required to do so. Some organizations may only believe they are required to, when in fact they are not (Holzer, Raphael, & Stoll, 2007). One reason organizations use criminal backgrounds to exclude ex-offenders is the belief that the applicant may harm a customer or steal from the organization (Holzer et al., 2006). Other organizations may use criminal background checks to assess morality. Employers see criminal behavior as amoral or as dishonest behavior (Kurlychek, Brame, & Bushway, 2007). However, morality may or may not be a job-related construct. I will discuss this point further below.

Organizations also conduct criminal background checks in order to prevent negligent hiring lawsuits. If an organization fails to uncover information during the hiring process and the new employee commits a crime while on the job, the organization could be liable for the actions of the employee (Edwards & Kleiner, 2002). This means that whether or not the organization actually knew about the risk in hiring the ex-offender, if it should have or could have known about the ex-offender's history, the organization can be held responsible.

The business literature provides a series of recommendations for employers regarding the use of criminal background checks as a selection tool, in an attempt to strike a balance between remaining safe from negligent hiring suits and avoiding a battery of tests that could result in disparate impact for minority groups. In order to avoid negligent hiring suits, Edwards and Kleiner (2002) recommend keeping meticulous documentation of the hiring process and to conduct a criminal background check if the job requires carrying a weapon, having access to a weapon, money, valuables, a company car, drugs, explosives, master keys, have contact with the public, patients, or children, or if the position requires a criminal background check by law. If the applicant has no criminal history, is hired, and commits a crime involving the workplace, the organization is not likely to face a negligent hiring lawsuit. However, if the applicant has a criminal record, whether or not the criminal background check has been conducted, the organization may face a lawsuit.

### **Perceptions of Criminal Behavior**

In the hiring context, it is important to examine how others perceive criminal behavior and its potential patterns. Here, we should consider the important distinction between arrests and convictions that appear on criminal records and whether or not they are perceived differently. An arrest could potentially lead to a conviction, however, not all of those who are arrested have committed a crime. Especially in consideration of new ‘stop and frisk’ policies implemented in major urban areas like New York City, arrest records should not imply guilt. A much higher percent of African American males have been arrested than White males (Brame, Bushway, Paternoster, & Turner, 2014). This shows us that the risk of arrest is not the same across races. However, arrests sometimes serve as a proxy for convictions. As convictions serve as a proxy for criminal behavior, it seems arrests should not be equated to criminal behavior, as many hiring

managers could perceive them. It is illegal to discriminate on the basis of arrests. Therefore, background checks should look exclusively at convictions.

**Stigma of Race and Criminal Behavior.** Goffman (1963) describes stigma as a “deeply discrediting” (p. 3) characteristic for which someone experiences discrimination. Stigma has been theorized to occur through a dual-process model (Pryor, Reeder, Yeadon, & Hesson-McInnis, 2004). This model hypothesizes an initial reflexive response followed by a rule-based response. The reflexive response is the immediate learned emotional reaction to encountering the stigma. The rule-based system evokes thought and consideration of the appropriateness of the response. The attribution-emotion model of stigma suggests either pity or anger as a response depending on the category of stigma (Weiner, Perry, & Magnusson, 1988). If the individual is not considered responsible for membership in the stigmatized group, the reaction will be pity. If the individual is responsible for membership in the stigmatized group, the reaction will be anger or irritation.

Though the legal system is designed to treat everyone equally, this is not always the case. Stigmatized characteristics, like race, can affect the outcomes of a defendant’s legal proceedings. Research shows that a defendant’s race can affect sentencing decisions (Steffensmeier, Ulmer, & Kramer, 1998). This study showed direct relationships between age, race, and gender and sentencing, as well as greater interaction effects for young black males. A follow-up study showed that young black and Hispanic males receive more severe sentences than middle-aged white males. Additionally, unemployment is shown to be an important factor in sentencing. Black and Hispanic males without jobs were sentenced more harshly than employed white males (Spohn & Holleran, 2000). These patterns show an imbalance in the legal system that is potentially extended to the selection process.



With the increase availability of electronic criminal records, offender-status is stigmatized and stays with an offender for the rest of his or her life (Murphy, Fuleihan, Richards, & Jones, 2011). Once released, ex-offenders feel discriminated against in a wide variety of ways (LeBel, 2011). Often, ex-offenders are part of multiple stigmatized groups, such as race, substance users, and mental health conditions. In LeBel's study, 65.3% of ex-offenders reported feelings of discrimination for their status as an offender and 48% of ex-offenders felt discriminated against for their race or ethnicity. Of those who felt discriminated against because of their race, 84% also felt discriminated against for previous incarceration. Overall, most ex-offenders (79.4%) feel stigmatized in at least one way and perceive it as a barrier to re-entry in society.

People are reluctant to hire ex-offenders, likely due to the stigma of having a criminal record. Varghese, Hardin, Bauer, and Morgan (2010) conducted an experiment that showed severity of criminal charges negatively affected employability of the applicant. For applicants with less severe criminal chargers, higher job qualifications had the power to raise ratings of employability. However, for participants with severe criminal charges, like felonies, level of qualifications had no impact on employability ratings. These findings demonstrate that there is a clear stigma against severe criminal histories.

**Base Rates of Criminal Behavior.** The prevalence of criminal behavior among demographic subgroups should be noted. According to the U.S. Census Bureau, in 2009 approximately 79.6% of U.S. residents were White and 12.9% of residents were African American. However, in that same year 7,389,208 White people and 3,027,153 African Americans were arrested. The proportions show that 69.1% of arrested individuals were White while 28.3% were African American. The pattern continues in examining the proportion of

White and Black jailed inmates. The U.S. Census Bureau reports that in 2009, only 42.5% of jailed inmates were White while 39.2% of inmates were Black.

We also know that men are arrested and jailed more than women. The U.S. Census Bureau reports that in 2009, 49.3% of U.S. residents are male and 50.7% of residents are female. However, the U.S. Census Bureau also shows approximately 74.7% of arrests were male. The percentage of males in the justice system increases further when you look at the proportion of male inmates. Approximately 87.3% of jailed inmates were male in 2009.

According to the Bureau of Justice Statistics, blacks and Hispanics were imprisoned at higher rates than whites for both males and females as well as for each age group in 2011 (Carson & Sabol, 2012). Depending on age group, black males were imprisoned anywhere from 5 to 7 times more than white males. These stark differences provide a basis for the potential of adverse impact against blacks in hiring decisions based on criminal background checks.

**Perceptions of Risk.** As discussed previously, one of the reasons why employers are reluctant to hire ex-offenders is the perceived risk of the ex-offender committing another crime while under the employ of the organization. Research shows that the white participants, while more accurate in perceiving blue-collar crimes committed by African Americans, is less accurate and underestimates blue-collar crimes committed by whites (Gordon, Michels, & Nelson, 1996). In addition, these stereotypes against African Americans have been shown to influence attitudes and judgments about crime policy and punishment (Hurwitz & Peffley, 1997). These findings could be influential in white hiring managers perceiving a lower risk of criminal behavior in white applicants than in black applicants.

**Perceptions of Job Relevance.** Another factor that may influence an employer's decision whether or not to hire an ex-offender would be the relevance of the crime to the position

for which the individual is applying. For example, a hiring manager may have more concerns about hiring an ex-offender who was convicted of armed robbery as a cashier than an ex-offender convicted of drug possession. Employers surveyed in the Los Angeles area reported that they consider type of offense when making hiring decisions for ex-offenders (Holzer et al., 2007).

### **Validity Evidence**

In personnel selection, inferences connecting the predictors construct domain, the performance domain, the predictor measure, and the performance measure must be supported with evidence to establish validity. The relationship between a predictor measure and performance domain is essential in the validation process (Binning & Barret, 1989). In this context, the predictor measure is criminal history. However, the field has not yet established what the predictor construct domain is being represented by criminal history. The literature has yet to support these important linkages to complete the validation process, which is essential to support the legal defensibility of a selection tool (Landy, 1986).

Research has shown that past behavior predicts future behavior (Aarts, Verplanken, & van Knippenberg, 1998; Ouellette & Wood, 1998). Ouellette and Wood (1998) suggest that the influence of past behavior on future behavior is due to formed habits leading to automatic responses and intentions. Research in this area has been applied to understanding the relationship between past criminal behavior and future criminal behavior. Piquero, Farrington, Blumstein (2003) describe the pattern with the term career criminal. Career criminals, who do not make desirable applicants as they present a risk to the organization, can be identified through a pattern on criminal behavior seen in a criminal background check. This concept links to recidivism, committing additional offenses after having already been found guilty of an offense. The United

States Bureau of Justice reported that in 1994, 67.5% of ex-offenders were rearrested within three years (Langan & Levine, 2002). The high recidivism rates in the United States, along with the idea of career criminals, echo the notion that past behaviors predict future behaviors (Blumstein, Farrington, & Moitra, 1985).

**Criterion Validity.** The criterion validity of criminal background checks of job performance has yet to be established, leading researchers to discourage its use without further research (Harris & Keller, 2005). According to the EEOC's *Uniform Guidelines*, in order for a selection tool to be valid, it must have criterion validity. This means that it should be "predictive of or significantly correlated with important elements of job performance," (Equal Employment Opportunity Commission, 1978). The *Uniform Guidelines* require that criterion measures used to establish validity of selection tools be job relevant (Cascio & Aguinis, 2001). This means the criterion should represent critical work behaviors without superfluous information, known as construct contamination, and should not overlook tasks, known as construct deficiency (Cascio & Aguinis, 2001). The literature is sparse in establishing this aspect of validity for criminal background checks.

In order to examine what criminal background checks measure, we must first discuss the different types of performance. It is important to consider the multidimensional nature of job performance when evaluating validity (Murphy & Shiarella, 1997). Job performance is typically categorized into three groups in the literature: task performance, contextual performance, and counterproductive work behaviors (Dalal, Brummel, Baysinger, & LeBreton, 2012; Rotundo & Sackett, 2002). Task performance can be thought of as the officially required part of the job, which is divided in two parts: creating products and maintenance of resources to allow the

continuance of creating products (Motowidlo, 2003). Research on task performance continues to serve as a critical component of the study of the performance domain.

During the last twenty years a second facet of performance has been identified, contextual performance. This type of performance encompasses behaviors that enhance the social and psychological environment and are by definition voluntary and not required (Borman and Motowidlo, 1993). There are three ways employees can contribute to the organization through contextual performance: promoting positive affect in coworkers, developing oneself to be more able to perform tasks, and positively affecting tangible resources, such as cleaning up after coworkers or turning off the lights at the end of the day (Motowidlo, 2003). Contextual performance has been compared to organizational citizenship behaviors (OCBs) in the literature, as the two constructs have considerable overlap. Organ (1988) defines OCBs as discretionary behaviors that contribute to heightened functioning of the organization.

The third type of performance, counterproductive work behaviors, has the potential to relate the most to past criminal behaviors. Hollinger and Clark (1983) originally categorized counterproductive work behaviors as either being property deviance (e.g., theft or damage) or production deviance (e.g., absences or drug use at work). Building from their work, Robinson and Bennett (1995) added an additional dimension to the construct: the target of the action, towards the organization or towards an individual. This leads the authors to distinguish four categories of counterproductive work behavior: property deviance, production deviance, personal aggression, and political deviance.

Performance has also been categorized in the context of maximum versus typical performance. Sackett, Zedeck, and Fogli (1988) defined the three criteria of maximum performance as a) explicit awareness that evaluation is taking place, b) awareness and acceptance

of implicit or explicit direction to maximize performance, and c) a short enough duration so that the individual's attention can remain focused on the task. Maximum and typical performance are thought of on a spectrum, with scenarios meeting some, but not all of these criteria fitting somewhere on the spectrum between typical and maximum performance. These dimensions of performance are rooted in Kane's (1982) work on performance distribution assessment. Kane proposes that individuals may display the same levels of typical performance but have very different levels of maximum performance, or two applicants may show the same level of maximum performance though their levels of typical performance differ. Research has not shown whether criminal history relates to these dimensions of performance. Further research in this area could lead to meaningful implications in the validity of the use of criminal background checks in selection. However, the lack of research on the validation of criminal background checks makes researchers skeptical of their use. Without validating the use of criminal background checks to make hiring and promotion decisions, organizations potentially open themselves up to legal ramifications.

### **Disparate Impact**

The Civil Rights Act of 1964 established equal protection under the law for specific protected groups, specifically race, color, religion, sex, and national origin. Title VII of this Act specifically addressed discrimination by employers with more than fifteen employees. The Equal Employment Opportunity Commission (EEOC) enforces title VII. Disparate treatment was specifically forbidden; meaning employment decisions cannot be made solely on criteria based on the protected groups listed above.

Since the Civil Rights Act of 1964, the Supreme Court has heard and ruled on several cases that have influenced the interpretation of Title VII. The first case to enforce the legislation

was *Griggs v. Duke Power Co* in 1971. This case established that even when discrimination is not overt, practices with discriminatory outcomes are still illegal. This is known as disparate impact. Though Duke Power was using a professionally developed cognitive ability test, it was negatively impacting African Americans. Duke Power Co could not establish the relationship between the selection measure and the requirements of the job, known as job-relatedness.

The Civil Rights Act of 1991 further clarifies the job-relevant requirements established by the Court in stating that the challenged practice must be job related or a business necessity. This has been interpreted later by the Court (in *Lanning v. SEPTA 1999*) to mean that the challenged practice must reflect the minimum qualifications necessary to perform the job.

In *Connecticut v. Teal (1982)*, the court established that it is not only who gets hired in the end that matters in issues of disparate impact. Even if the hiring rates for two subgroups do not differ substantially, disparate impact could still have occurred. The court highlighted the protection of the individual, not just the group of which the individual is a member (Zedeck & Cascio, 1984).

The *Uniform Guidelines*, applies the four-fifths rule to identify disparate impact. The four-fifths or 80% rule indicates that the pass-rate of one subgroup must be at least 80% of the pass-rate of another subgroup (Cascio & Aguinis, 2001). This seemingly arbitrary cutoff has been criticized in the literature (Cascio & Aguinis, 2001; Shoben, 1978). *Palmer v. Shultz (1987)* identified three potential causes of a disparity between subgroups. The first potential explanation for the difference in pass-rates is the presence of discrimination. The second explanation for the effect is a nondiscriminatory cause, and the final explanation is simply the ratio was due to chance (Cascio & Aguinis, 2001). This case resulted in the recommendation of null hypothesis significance testing, meaning if we can conclude there is a less than a 5% chance that the data

would yield these results given no discriminatory practices, discrimination may have occurred. Though this is a standard typically used in the scientific community, it too has been debated in recent decades due to the procedure's reliance of sample size (Batterham & Hopkins, 2006). In this context, a large organization would yield a large sample size and would be more likely to show evidence of disparate impact through hypothesis testing than a smaller organization with fewer individuals in the sample.

Hypothesis testing is also commonly misinterpreted. The magnitude of the difference between groups cannot be established from a  $p$ -value, though it is frequently interpreted that a  $p$ -value of .01 represents a larger difference than a  $p$ -value of .05. In addition, failure to reject the null hypothesis is often seen as evidence that there is no difference in pass-rates between groups, which is not the case (Cascio & Aguinis, 2001).

When disparate impact exists in selection tools both the courts and the literature encourage organization to find alternate means of assessing the same constructs. Ideally, these alternatives would be equally valid, but would produce less disparate impact (Zedeck & Cascio, 1984).

### **The EEOC and Criminal Background Checks**

The EEOC has been active in clarifying its position on the use of criminal background checks. In April of 2012, the EEOC issued a new Enforcement Guidance on the use of arrest and conviction records in hiring decisions. They state that the use of arrest records alone in decision-making is not permissible. However, the behaviors underlying the arrest are usable in decision-making.

The standards set by *Green v. Missouri Pacific Railroad Company* were reinforced in this *Guidance*, emphasizing that three factors, 1) the nature of the offense, 2) time elapsed since the



offense, and 3) nature of the job, are to be considered when using a criminal background check for selection. For example, the EEOC recommends that criminal history information be requested only for jobs that may be relevant this behavior. Another important piece from the EEOC's updated *Enforcement Guidance* is the recommended best practice, individualized assessment. This process simply recommends the employer consulting with the applicant if they plan to disqualify the candidate due to his or her criminal history. This gives the applicant an opportunity to provide additional information to be considered in the employer's decision-making process. According to Silverman (2012), roughly 88% of employers report that they already follow this practice. Holzer et al., (2007) find support for these findings as well, noting in their survey of employers in the Los Angeles area, that many employers consider mitigating factors like the type of offense and when it occurred.

The Guidance also provides clarification in adhering to federal and state laws. When federal laws prescribe criminal background checks, employers are to comply but not to exceed the requirements. For example, if federal regulations require an applicant to have no criminal history in the past five years for a certain position, the employer is not to extend that period without empirically supported reasoning behind the decision. When state laws conflict with Title VII of the Civil Rights Act of 1964, employers are instructed to follow federal regulations over the state or local laws.

The EEOC recently won a \$3.13 million settlement from Pepsi Co for discriminating against African Americans. The EEOC determined Pepsi's criminal background check policy lead to disparate impact upon African Americans, a violation of Title VII. With this recent case as well as the updated Enforcement Guidance, we can expect more stringent scrutiny of employers' use of criminal background checks for selection decisions in the future.

## **Empirical Evidence of Disparate Impact**

Grogger (1995) identifies a connection between incarceration and earnings, showing that though probation has no significant effect on earnings, incarceration does negatively impact earnings. Additionally, the author showed that an increase in sentence length was associated with a decrease in pay. However, this could potentially be affected by simply being unable to hold a position during incarceration. Grogger also notes that, contrary to previous research (Freeman, 1992), these effects are short-lived. Employment has been shown to be a turning point for ex-offenders, particularly older (above the age of 27) ex-offenders. Older ex-offenders reported significantly less crimes and arrests when given employment opportunities (Uggen, 2000). Additionally, the literature shows steady employment can mitigate recidivism among ex-offenders (Watstein, 2009) as well as the natural decline of criminal activity with age after a peak in late-teens and early adulthood. Desistance or termination of criminal activity is an important factor when determining whether or not past criminal behavior will continue in the future (Brame, Bushway, Paternoster, 2003). Previous research shows that the likelihood of an ex-offender committing a crime declines significantly over time, reaching the likelihood of the general population roughly six to seven years after the most recent offense (Kurlycheck, Brame, & Bushway, 2006). So, even though past criminal behavior can predict future criminal behavior, it is unreasonable to determine that an individual who has committed a crime in the past will commit a crime in the future.

Beyond criminal background checks negatively affecting proportionally more males, they may also have a greater negative bearing for blacks than for whites in hiring decisions. Pager (2003) compared the ratio of callbacks for offenders and non-offenders across black and white applicants, finding that the negative effect of a criminal history is 40% greater for blacks than for

whites. However, some research has shown that when employers use criminal background checks, they are more likely to hire African Americans, particularly African American males than employers who do not use criminal background checks (Holzer et al., 2006). The researchers explain this effect by postulating that the use of criminal background checks reduces the effect of statistical discrimination. Statistical discrimination occurs when organizations use local arrest and conviction statistics in place of individual criminal histories for each applicant, which occurs with limited availability of criminal records. Essentially, an employer who would normally make assumptions about offender-status based on race would not have to make those assumptions with access to the applicants' criminal history. Without making these assumptions, the employer is more likely to not discriminate by race and to hire non-offender African Americans.

The state of Texas has recently enacted legislation aimed at counteracting the severity of the risk of negligent hiring lawsuits through Texas House Bill 1188. The bill, effective September 1, 2013, bars many causes of action against employers for the negligent hiring of an individual who has been convicted of a crime. However, the bill allows suits when the employee had committed a crime in the past involving similar job functions as the present position or crimes listed in Article 42.12 of the Texas Code of Criminal Procedure, including crimes such as murder, aggravated sexual assault, or aggravated robbery.

As previously stated, the literature does not provide validity evidence supporting a relationship between criminal backgrounds and any of the categorizations of performance discussed above. If a relationship can be established between criminal background checks and job-relevant criteria, the next step, according to precedent set by the Courts, would be to compare the strength of the criterion validity of criminal background checks to widely used selection tools

that show less adverse impact. For example, if criminal background checks are effective in predicting theft from the organization, the predictive validity should be compared to the validity of another widely used predictor of theft in the workplace, integrity tests. In this example, if the integrity test yields less disparate impact than the criminal background check while predicting the criterion studied, theft, equally well or better, it is the legal responsibility of the organization to use the integrity test. As integrity tests have been shown to be valid predictors of not only theft, but a wide range of counterproductive work behaviors in addition to job performance as a whole, they may be more appropriate than criminal background checks in assessing the same facet of performance (Ones, Viswesvaran, & Schmidt, 1993).

### **The Redemption Point: Influential Factors**

The literature has shown in the past that the likelihood of an ex-offender committing a crime declines dramatically over time. Based on this finding, researchers have pursued establishing the rate at which the likelihood declines. The literature shows, using members of the same birth cohort, that eventually the differences between juvenile offenders and non-offenders is indistinguishable (Kurlychek, Brame, & Bushway, 2007). Another study gives a rough estimate of the likelihood of ex-offenders committing a crime in the future dropping to that of the general population to be six or seven years after the most recent crime (Kurlychek et al., 2006). More recently, researchers have mapped the likelihood of an individual committing a crime over time on to a curve (Blumstein & Nakamura, 2009). This curve follows the trajectory of the likelihood of an ex-offender committing another crime until they have reached the redemption point, a point in time when the ex-offender has the same statistical likelihood as the rest of the population to commit another crime.

**The Type of Crime.** The curve depends on several factors, some which echo the decision made in *Green v. Missouri Railroad Company*. The first of these factors is the type of crime. This is because recidivism rates vary by different types of crimes, with crimes involving money having the highest recidivism rates (Langan & Levin, 2002), and by age of first arrest, with younger offenders having higher rates of recidivism (Blumstein, 2007). There are two distinct points of redemption for ex-offenders. The first point, discussed by Blumstein and Nakamura,  $T^*$ , is when the likelihood of committing a crime for an ex-offender matches that of the general population of the same age, including other ex-offenders. The second point, known as  $T^{**}$ , is when an ex-offender is no more likely than non-offenders to commit a crime.  $T^{**}$  occurs after  $T^*$ , chronologically.

**Time.** Gottfredson and Hirschi's (1990) *General Theory of Crime* is based on the hypothesized, easily achieved, immediate gratification that comes with criminal behavior. The theory also encompasses other deviant behaviors like smoking, gambling, and reckless driving, as they also provide instant gratification. Gottfredson and Hirschi propose that individuals who are deviant in their youth, before many of the influences of social processes, will continue the pattern of deviant behavior in their future. This deviant behavior early on, they hypothesize, is associated with low-self control.

A meta-analysis directly testing Gottfredson and Hirschi's *General Theory of Crime* provides support for the strong link between self-control and crime (Pratt & Cullen, 2000). The authors describe six characteristics of individuals who are likely to commit crimes due to low self-control. These six dimensions are: a) preferring simple tasks, b) preferring physical over mental tasks, c) impulsiveness, d) risk-seeking, e) self-centeredness, and f) an unstable temper. This combination of characteristics is associated with crimes and activities that provide

immediate gratification without considering future consequences. Although the latter may not necessarily reflect illegal activities, it potentially links to counterproductive work behaviors. Counterproductive work behaviors can be costly to the organization and the ability to predict them during the selection process would be highly beneficial.

The element of time comes into play in the redemption point in considering both at what age the ex-offender committed his or her first crime as well as how much time has passed since the ex-offender has committed a crime. Gottfredson and Hirschi's theory supports the notion that an individual who commits crimes early in life lack self-control and are more likely to be career criminals. Separation from criminal events could then indicate gaining the self-control necessary to not commit crimes. Bushway, Nieuwbeerta, and Blokland (2011) concluded that younger offenders that remain crime free can be "redeemed" after approximately ten years. This time period is much shorter for older first-time offenders. In the case of multiple convictions, ex-offenders require approximately twenty years without committing a crime to resemble the non-offender population.

**Implementation of New Practices.** As the redemption point is a relatively concept in the literature, it is likely that few hiring managers are aware of the trend of decreasing likelihood of an ex-offender committing a crime over time. If this point in time is found to be an acceptable marker for criminal background checks to be disregarded, it must be feasible for employers to calculate on their own. Age of first and most recent arrests and crime plays a major role in the relevance of the criminal record. However, this does not pose a problem for employers because this information is typically provided in the criminal background report (Blumstein & Nakamura, 2009). Most ex-offenders can reach the redemption point in six to seven years (Blumstein & Nakamura, 2009).

Employers can use the curve, defined by the equation below, to assess the hazard,  $h$ , of the applicant.

$$h(t)=\Pr(T=t | T \geq t) = \frac{\# \text{ of the 1980 sample who have a new arrest time period } t}{\# \text{ of the 1980 sample who have not had a new arrest before } t}$$

With this tool, employers could provide greater job opportunities to ex-offenders who have surpassed the redemption point.

### **The Present Study**

This study seeks to examine the relationships between race, offender-status, knowledge of the redemption point, and perceived employability using a policy capturing design. Race will be manipulated by providing participants with both black and white applicants. Some of these applicants will be non-offenders and some will be ex-offenders, though the offense committed was long ago and no recent convictions are present. Half of the participants will receive detailed information about both the recently release EEOC *Guidance* and the theory of the redemption point, while the other half of participants will receive no such instruction. Therefore, this will be a mixed design with one between subjects variable (redemption point information) and two within subjects variables (race and criminal history).

As suggested above, many hiring managers may not be aware of the redemption point or the affect of time on the likelihood of ex-offenders to commit another crime. Knowledge of the decrease in likelihood of criminal behavior may lead to a greater willingness to hire ex-offenders. Therefore, we predict participants who have received the information on the redemption point and EEOC *Guidance* will be more likely to give ex-offender higher employability ratings than participants who have not received this information.

*Hypothesis 1. There will be a main effect for knowledge of the redemption point such that participants provided with redemption point information will be more likely to hire and*

*interview applicants than participants who are not provided with redemption point information.*

*Hypothesis 2. There will be a main effect for race, such that participants will be more likely to hire and interview White applicants than Black applicants.*

*Hypothesis 3. There will be a main effect for offender-status, such that participants will be more likely to hire and interview non-offenders than ex-offenders.*

The literature supports moderation of the above hypothesized relationships.

*Hypothesis 4. Race will moderate the relationship between offender-status and likelihood to interview and hire, such that the negative effect of offender-status will be stronger for Black applicants than White applicants.*

Evidence of negative impacts on African Americans, as previously discussed, can be seen in higher conviction rates and longer sentences in the legal system as well as lower perceived employability for ex-offenders in blue collar jobs (Gordon et al., 1996). Therefore, we anticipate an interaction effect between race and redemption point knowledge.

*Hypothesis 5. Race will moderate the relationship between redemption point knowledge and likelihood to interview and hire, such that the positive impact of redemption point information on likelihood to hire and interview will be greater for White applicants than for Black applicants.*

As the use of criminal backgrounds in selection is a relatively new phenomenon and the EEOC issued its *Enforcement Guidance* recently, it would be reasonable to assume not many people know about the EEOC's recommendations for the use of criminal background checks or the concept of a redemption point for ex-offenders. Having this information may affect decision-making regarding applicants with criminal histories.



*Hypothesis 6. Redemption point knowledge will moderate the relationship between offender-status and likelihood to hire and interview, such the negative effect of having a criminal history will be weaker when participants have been exposed to the redemption point.*

Hypothesis 5 indicates a greater impact of the redemption point for White applicants than for Black applicants. However, redemption point information is more pertinent for applicants with criminal histories than applicants without criminal histories. We anticipate the interaction effect of hypothesis 5, but including the offender-status variable should provide even more clarity to the relationship.

*Hypothesis 7. There will be an interaction between race, redemption point, and offender-status, such that the increase in likelihood to hire and interview ex-offenders (but not non-offenders) from knowledge of the redemption point will be greater for white applicants than for black applicants.*

## Methods

This study used a policy capturing design with the goal to investigate how evaluative judgments are made when organizational decision-makers are provided with information specific to varying scenarios (Karren & Barringer, 2002). Participants received a number of applications that systematically varied by the variables of interest: race and offender-status.

### **Manipulation Check: Redemption Point Information**

First, a pilot test was conducted in order to ensure the redemption point manipulation was effective in explaining the concept. Sixteen undergraduate students were recruited from upper-level psychology courses to participate in this manipulation check. The average age of participants was 22 with 83% of the sample being female. Participants were asked to read one of two paragraphs. The first paragraph provided general information about what to look for in applications when making hiring decisions, with no specific information about criminal background checks. The second paragraph provided the exact same information as the first, but also included specific information regarding the redemption point and the research behind it. Participants answered one multiple-choice and four true/false questions to assess comprehension of how to assess job candidates then completed demographic information, including age, race, gender, and work experience.

In order to estimate a reasonable minimum amount of time to comprehend the informational paragraph and respond to the survey questions, 4 graduate students were asked to take the survey as fast as possible. These times were averaged to create a cutoff time of 1 minutes and 46 seconds. Two participants were removed from the sample for completing the survey in less than 1 minutes and 46 seconds.

Nine participants received the information about the redemption point and the EEOC *Enforcement Guidance* and scored an average of 4.44 out of 5. Seven participants did not receive this information and scored an average of 3.43 out of 5. A t-test showed this to be a significant difference between the redemption point information group and the control group,  $p < .05$ .

After closing the online survey, there were an additional seven respondents who completed the 5 test questions but did not submit the survey. Including these additional respondents in the analysis yielded an average of 4.25 out of 5 questions correct for the group who received EEOC and redemption point information and an average of 3.45 out of 5 questions correct for the group receiving no criminal history information. This mean group difference based on a sample of 23 was only marginally significant,  $p = .07$ .

### **Manipulation Check: Equivalency of Applicant Qualifications**

The second pilot test was designed to assess the equivalence of the qualifications of each applicant. This ensured the applicants only differed based on race and offender-status. Fourteen subject matter experts were recruited from a pool of graduate students studying Industrial-Organizational Psychology. They were asked to rate how qualified each applicant was for a retail sales position. The subject matter experts rated the twenty-four applications used as the target stimuli in the study as well as twelve additional applications that varied in number of previous employers, with some applicants having less experience and some having more experience than the twenty-four applications from the primary study. Ratings were made using a 7-point scale, with 1 = highly unqualified, 4 = adequately qualified, and 7 = highly qualified.

On average, the study applicants were rated 4.86, while distracter applicants with less previous experience were rated 3.73 and distracter applicants with more previous experience

were rated 5.37. The standard deviations for these rating were consistent, with study applicant  $SD = 1.16$  and distracter applicants  $SD = 1.31$ .

As predicted, these means and standard deviations show relative equivalence of the study applications when compared to more or less qualified applicants. Therefore, any differences in ratings of likelihood to interview or hire found among applicants are unlikely due to differences in qualifications of each applicant.

### **The Primary Study**

**Participants.** Undergraduate students from a large public university were recruited to participate in this study, completed with an online survey. According to a power analysis conducted consulting Cohen (1977), in order to detect a small effect of a three-way interaction, sixty participants were required. This study is a mixed design, with redemption point knowledge as the between subjects variable and race and offender-status as the two within subjects variables. The within subjects variables are varied systematically throughout the applications. All students were asked to play the role of a hiring manager and review the resumes of forty applicants.

**Manipulation of Redemption Point Knowledge.** Each participant received information regarding the responsibilities of the job. The job description is based on the tasks listed on O\*NET for retail salesperson. This paragraph also included instructions on how to assess the applicants' resumes. The experimental group received the informational paragraph assessed in the first manipulation check: specific information regarding the redemption point, including an average time point of an ex-offender's redemption point and the EEOC's recommendations to consider the nature of the job, the nature of the offense, and the time that has elapsed since the crime was committed. These materials are presented in the appendices.

**Manipulation of Race and Offender-Status.** Twenty-four of the forty applications were designed for the race and criminal history manipulations. Six applications were white males with no criminal history. The second group of six applications were white males who committed theft 8 to 10 years ago, which exceeded the redemption point qualifications for an ex-offender who has been redeemed, presented in the experimental group's criminal history information. The third group of six applications were black males with no criminal history. The fourth group of six applications were black males who committed theft 10 years ago. The offense is intentionally the same and job relevant for both the white and black males who have criminal histories. As nature of the offense is a relevant characteristic in decision-making for job applications, we held it as a constant in this study. The other sixteen applications were used as distracters. All of the distraction applicants varied in gender, race, levels of experience, and qualifications.

**Presentation of Applications.** The online survey presented a consent form on the first page. Participants were instructed to move forward in the survey to consent to participation. The second page of the survey provided information about the task and information about rating applications. The subsequent forty pages each presented an application followed by six questions to be completed based on the application. All forty applications were presented in a random order to each participant to counterbalance applicant ratings to reduce the effect of fatigue. Participants were then presented with a page of demographic information and a page with the Modern Racism scale. Students receiving course extra-credit for participation were asked to click a link on the final page of the survey, sending them to a separate survey to record his or her name and course. This allowed the data to remain anonymous.

## Measures

**Dependent Variables.** For each applicant, participants indicated the likelihood of interviewing the applicant and the likelihood of hiring the applicant. Participants were then asked to rate the likelihood of the applicant engaging in task performance, contextual performance, and counterproductive work behaviors. Instead of using these specific terms, the three concepts were presented as “effectively completed the required tasks,” “going above and beyond the requirements of the job to help the organization,” and “intentionally engaging in behaviors that work against the goals of the organization (leaving early, theft, blaming others, or harassment)” to increase understanding. Finally, participants were asked to rate the risk to the organization of hiring the applicant. Each of these items asked participants to make ratings using 1 to 7 Likert scales. For likelihood to interview, likelihood to hire, likelihood to engage in task performance, likelihood to engage in contextual performance, and likelihood to engage in counterproductive work behaviors, participants were instructed that 1 = very unlikely, 4 = moderately likely, and 7 = very likely. For ratings of risk, lower scores indicate the applicant is not at all risky and higher scores indicate the applicant is very risky to the organization.

**The Modern Racism Scale.** This seven item, true/false scale has been widely used in the literature to assess racism and has been shown to be psychometrically valid,  $\alpha = .86$  (McConahay, 1983, 1986; Entman, 1990). These 7 items were averaged to create a single variable for a Modern Racism score. The responses for each item were true/false, which were coded as 1 and 2. Therefore, participants’ average scores on the scale were between 1 and 2.

**Demographic Information.** Along with traditional demographic information, like age, race, and gender, participants were also asked about their employment status, whether they had ever participated in hiring decisions, from which academic department they were recruited

(psychology or business), and college major. For each demographic question, the participant was presented with the option to “decline to answer.” Participants were asked their birth date, from which age was calculated. Participants selected their race from a list of 14 categories used in collecting census information. Employment status was assessed using four possible responses, a) currently working full-time, b) currently working part-time, c) currently not working but have worked in the past, and d) currently not working and have never worked.

## **Results**

### **Participants**

Sixty-seven participants submitted responses to the primary study. Of these participants, 3 did not complete any items and were removed from the sample. Upon closer examination of the data, an additional 3 participants responded to all items with the exact same answer (all 7s on the Likert scale) despite the wording of the items making constant responses illogical. These 3 participants were therefore removed, leaving the final sample at 61 participants. Of the 8,784 data points, only 39 were missing, less than 1% of the data. Missing data points were replaced with the average rating for the dependent variable within its category of race and offender status.

The average age of participants was 19.72, while 69% of participants were female. The majority of participants identified as White (80%), with 1 participant identifying as African American, 1 participant identifying as Japanese, 1 participant identifying as Southeast Asian, 3 participants identifying as Hispanic, 1 participant identifying as Middle Eastern, 2 participants identifying as more than one race, and 3 participants declining to answer. The majority of the sample has work experience, with 55% of participants currently working part-time and an additional 33% of participants not currently working although had worked in the past. Only 9% of participants had never worked and 3% of participants declined to answer. Six percent of participants said they had experience hiring employees. The vast majority of participants (91%) were recruited from the psychology department, with 9% recruited from the business school. Many respondents (approximately 38%) completed the survey in 30 to 45 minutes.

### **Descriptive Statistics**

The overall dependent measure means and standard deviations are shown in Table 2. Tables 3-8 show means and standard deviations for the independent variables (race, criminal



history, and redemption point information) for each dependent measure. Each mean is an average of all participant ratings for the dependent measure on all six applications that fit in to each of the four categories of applicant (White, no history; Black, no history; White, criminal history; Black, criminal history). Means are shown for each between subjects group as well as a grand total for each category of applicant. Differences between ratings from participants who had additional redemption point information from those who did not have the additional information tend to be small. However, for most dependent measures the ratings are slightly higher from participants who had the additional information. This supports the directionality indicated in hypothesis 1, that participants with redemption point information will be more likely to interview and hire applicants than participants who have not received that information. Additionally, the overall means are higher for applicants without a criminal history than for applicants with a criminal history.

### **Intercorrelation Tables**

Table 9 shows the intercorrelations among the dependent variables. The first correlation matrix shows the relatedness of the six dependent variables (willingness to hire, willingness to interview, likelihood to engage in task performance, likelihood to engage in contextual performance, likelihood to engage in counter-productive work behavior, and risk to the organization) and additional measured variables like age, gender, and Modern Racism Scale score are present. These correlations were calculated by averaging the scores for each dependent measure for each participant.

The second correlation matrix, seen in Appendix H, shows the intercorrelations among the dependent variables within each of the four categories of applicant (White with no criminal history, Black with no criminal history, White with a criminal history, and Black with a criminal

history). These correlations were calculated by creating a correlation matrix for each participant. The participant intercorrelation matrices were then averaged. This shows the dependent variables are not highly intercorrelated with each other, although ratings for hire, task performance, and contextual performance show higher intercorrelations among each other than with counterproductive behaviors and risk.

### **Hypothesis Testing**

The hypotheses were tested with a Repeated Measures MANOVA using SPSS. From this analysis, I examined the multivariate effects as well as the follow-up univariate tests. First, hypothesis 1 predicted a main effect for the relationship between redemption point training and ratings of hiring and interviewing. This effect was non-significant,  $F(6,54) = .17, p > .05$ , seen in Table 10. The overall average dependent measure rating from the group given redemption point information was 4.30 while the overall average dependent measure rating from the group given no redemption point information was 4.26. The eta-squared statistic can be calculated by subtracting the Wilk's Lambda value from 1. It can be interpreted as the amount of variance in the dependent measures explained by the independent measure in multivariate analyses. Redemption point information explained approximately 2% of the variance in the dependent measures,  $\eta^2 = .02$ .

Hypothesis 2 predicted a main effect of applicant race on the dependent measures. There was a significant effect for race,  $F(6,54) = 2.49, p < .05, \eta^2 = .22$ , seen in Table 10. Contrary to the hypothesized relationship, participants rated Black applicants higher than White applicants. White applicants received an average rating of 4.17 while Black applicants received an average rating of 4.33. As shown in Table 11, race of the applicant significantly predicted likelihood to interview (White = 4.97, Black = 5.13), likelihood to hire (White = 4.75, Black = 4.92), and

estimated level of contextual performance (White = 4.60, Black = 4.73). Eta-squared for each of the dependent variables in the univariate effects was calculated by dividing the sum of squares by the sums of squares total. The univariate effects for each of the dependent variables for race were all accounted for less than 1% of the variance.

For hypothesis 3, the main effect for offender-status was examined. Our test shows a significant main effect for offender status,  $F(6,54) = 14.97, p < .001, \eta^2 = .63$ , seen in Table 10. As hypothesized, non-offenders were rated higher on the dependent measures than ex-offenders. Non-offenders received an average rating of 4.42 while ex-offenders received an average rating of 4.14. Criminal history significantly predicted all six dependent variables, as shown in Table 12. Ratings for interviews (Non-offender = 5.73, Ex-offender = 4.35), hiring (Non-offender = 5.54, Ex-offender = 4.11), task performance (Non-offender = 5.64, Ex-offender = 4.61), contextual performance (Non-offender = 5.18, Ex-offender = 4.15), counterproductive work behaviors (Non-offender = 2.19, Ex-offender = 3.74), and risk (Non-offender = 2.24, Ex-offender = 3.89) were all more favorable for non-offenders. As counterproductive work behaviors and risk to the organization are negative, favorable ratings for this measure are lower. The univariate effects for criminal history show that criminal history accounts for 8% of the variance in interview ratings, 9% of the variance in hiring ratings, 4% of the variance in task performance ratings, 5% of the variance in contextual performance ratings, 10% of the variance in counterproductive work behavior ratings, and 11% of the variance in ratings of risk to the organization.

Hypothesis 4 sought to identify an interaction effect for offender-status and race. This interaction was significant,  $F(6,54) = 2.29, p < .05, \eta^2 = .20$ . As seen in Table 13, this interaction significantly predicted likelihood to interview (White non-offender = 5.61, White ex-offender =

4.34; Black non-offender = 5.85, Black ex-offender = 4.36) and likelihood to hire (White non-offender = 5.42, White ex-offender = 4.09; Black non-offender = 5.65, Black ex-offender = 4.12). As hypothesized, there is a greater variation in ratings of Black applicants between offender and non offenders than for White applicants. For ratings of likelihood to interview, the difference between non-offenders and ex-offenders for White applicants is 1.28, while for Black applicants the difference is 1.49. For ratings of likelihood to hire, the difference between non-offenders and ex-offenders for White applicants is 1.33, while for Black applicants the difference is 1.53. The univariate effects explained less than 1% of the variance for each of the six dependent variables.

An additional two-way interaction effect was predicted in hypothesis 5 for race and redemption point knowledge in hypothesis 5. Though this relationship was non-significant,  $F(6,54) = .37, p > .05, \eta^2 = .04$ , it explained 4% of the variance in the dependent measures. Participants who had redemption point information rated White applicants an average of 4.27 and Black applicants an average of 4.34. Participants who did not have redemption point information rated White applicants an average of 4.22 and Black applicants an average of 4.31.

The final two-way interaction predicted in hypothesis 6 looked at redemption point knowledge and offender-status. This relationship was non-significant,  $F(6,54) = 1.28, p > .05, \eta^2 = .12$ . Participants who had redemption point information rated non-offenders applicants an average of 4.38 and ex-offenders applicants an average of 4.21. Participants who did not have redemption point information rated non-offenders applicants an average of 4.45 and ex-offenders applicants an average of 4.07. Though this was a non-significant interaction, it explains 12% of the variance in the dependent measures holding all other factors constant.

To test hypothesis 7, a three-way interaction among race, redemption point knowledge, and offender-status was assessed among the dependent variables. This test was non-significant,  $F = 1.00, p > .05$ . Participants with redemption point knowledge rated White non-offenders an average of 4.32, White ex-offenders an average of 4.21, Black non-offenders an average of 4.45, and Black ex-offenders an average of 4.20. Participants without redemption point knowledge rated White non-offenders an average of 4.37, White ex-offenders an average of 4.06, Black non-offenders an average of 4.53, and Black ex-offenders an average of 4.07. The eta-squared statistic indicates this interaction accounts for about 10% of the variance in the dependent measures. Figures representing each of the interaction hypotheses for all six dependent variables can be seen in Appendix I.

### **Mediation Analysis**

A participant's score on the Modern Racism scale could potentially mediate the relationship between the applicant factors, like offender-status and race, and the dependent measures, like ratings for interviewing, hiring, task performance, contextual performance, counterproductive work behaviors, and risk to the organization. As race was significantly related to the measures for interviewing, hiring, and contextual performance, and offender-status was related to all six dependent measures, I began by testing these relationships using linear regression to follow Baron and Kenny's (1986) steps for establishing a mediated relationship. As this was a repeated measures study, I controlled for participant ID throughout the mediation analysis as to avoid artificially inflating relationships due to within-rater consistency. Race was not significantly related to the three dependent variables tested, interviews, hiring, and contextual performance,  $p > .05$ . Therefore, no further steps should be taken to assess mediation. Offender-status was significantly related to all six dependent variables,  $p < .05$ .

The second step requires identifying a significant relationship between the independent variable, offender-status, and the mediator, racism score. For this case, each participant has one racism score and rated applications for all of the Black and White applicants. Therefore, it is impossible for race of the applicant to be significantly related to racism score.

The third step of the process relates the mediator to the dependent variable. The relationships between racism scores and ratings for interviewing, hiring, task performance, contextual performance, and counterproductive work behaviors were all non-significant,  $p > .05$ . The relationship between racism scores and ratings of risk was significant,  $p < .05$ . Therefore, the final step of the mediation process was conducted for just this relationship. The relationship between offender-status and risk remained exactly the same,  $B = -1.61$ ,  $t = -9.66$ ,  $p < .001$ , with the addition of racism scores in the model. The coefficient for racism score in predicting ratings of risk remained the same as well,  $B = 1.21$ . Therefore, there is no evidence of mediation. However, when entered first in a hierarchical model, offender-status accounts for 28% of the variance in ratings of risk, with racism scores accounting for an additional 2% of the variance in risk. However, when racism score is entered first hierarchically, it account for 3% of the variance, with offender-status accounting for an additional 27% of the variance, as seen in Table 14.

## Discussion

This study sought to further explore the relationships between race, criminal history, and selection outcomes include willingness to interview and hire applicants. Managers in the position to make hiring decisions would be able to make more accurate applicant judgments with knowledge of the recommendations made by the EEOC in their *Enforcement Guidance* as well the redemption point. The *Enforcement Guidance* encourages employers to consider the nature of the offense, the nature of the crime, and the time that has elapsed since the crime was committed. The redemption point suggests that after a period of time, an ex-offender is no more likely to commit a crime than the general population. Once an ex-offender reaches the redemption point, as echoed in the *Enforcement Guidance*, he or she should no longer be discriminated against in selection settings.

The first hypothesized relationship predicted that the redemption point and EEOC information would increase ratings of the dependent measures. This hypothesis was not supported. It is possible that the redemption point and EEOC informational paragraph was not an effective manipulation. Material must be retained or transferring knowledge to the applicant ratings is not possible (Baldwin & Ford, 1988). Though this manipulation was successfully piloted, a second manipulation check was not included in the main study. The additional information from a second manipulation check would have determined if participants provided full attention to the informational paragraph before continuing on to rate the applications. Conversely, the participants may have read and comprehended the information presented in the redemption point informational paragraph without adopting the new information. The manipulation check tested comprehension as opposed to altered opinions and intentions after reading the information. Previous research has not examined effectiveness of this specific type of

training, however general training principles could guide future research in development of a more powerful manipulation. For example, motivation to learn in training predicts outcomes beyond cognitive ability (Colquitt, LePine, & Noe, 2000). Increasing participant motivation to learn the information by connecting it to something salient may have improved transfer of knowledge to rating the applications.

The second hypothesis predicted a relationship between race and ratings, such that White applicants would receive more favorable ratings than Black applicants. A significant relationship between race and ratings was found, however the higher ratings for black applicants is not connected with previous research. The literature on self-monitoring may provide one explanation for these findings. Perhaps participants were monitoring their actions, aware that a preference for White applicants would not be connected with their personal values. Snyder (1985) conducted a study that demonstrated self-monitoring behaviors. He allowed participants to select one of two rooms in which to watch a movie. One room was empty while the other room was occupied with an individual in a wheelchair. When the movies playing in each room were the different, participants selected to watch the movie alone, citing the reason as movie preference. When the same movie was playing in both rooms, participants had no socially acceptable reason for selecting the empty room and therefore selected the room with the person in a wheelchair. In the current study, participants may have rated Black applicants higher, despite the equivalent qualification in an effort to respond in a socially desirable way.

Consistent with the idea of social monitoring, racism has been described as a dual-process model (Pryor et al., 2004). The first response is automatic and typically negative, while the second response is controlled. This controlled response is motivation to reduce prejudiced responses. Though both processes are impacted by individual differences, it is possible that



participants experienced both an initial negative reaction followed by a desire to reduce prejudice, leading to higher ratings for Black applicants.

Hypothesis three examined the relationship between offender-status and the dependent measure ratings. The data showed a clear preference for non-offenders over ex-offenders. This finding provides evidence that the manipulation of applicant offender-status was successful and that participants were paying attention to applicant attributes when making their ratings. The preference for non-offenders is well supported by extant literature. As discussed in the literature review, employers are reluctant to hire ex-offenders (Holzer, et al., 2006). Another potential reason for this strong main effect could be the relatedness of the crime to the job. Holzer et al., (2007) reported that the majority of employers consider the nature of the crime and the job-relatedness of the position for which the ex-offender is applying. This study kept the type of crime, theft, consistent across applicants. Participants could have considered the crime to be too relevant to the position, retail sales associate, and therefore made the judgment to weigh the offense heavily.

The strong effect sizes found for race and offender status,  $\eta^2=.22$  and  $.63$  respectively, could be in part due to demand characteristics. Volunteer participants, like we have in this study, are eager to assist the experimenter by responding in what they believe in the appropriate way. They are motivated to comply with the experiment (Orne, 1962). It is possible that in spite of the presence of twelve distracter applications, the participants were able to identify two of the primary variables of the study, race and offender status, with their frequent repetition. This knowledge could have impacted the results through a motivation to provide the “correct” answer.

The data show a significant interaction for race and offender-status, supporting hypothesis four. Though overall ratings for Black applicants were higher, contrasting the

predicted relationship from hypothesis two, the relationship found in this interaction partially supported hypothesis four. This indicates that the variability in outcomes associated with having a criminal history is greater for Black applicants than for White applicants. This finding is in line with prior literature. Pager (2003) used an experimental design to match pairs of individuals with and without criminal backgrounds to examine call-back rates. The study found the negative impact of a criminal record to be 40% greater for Black applicants than for White applicants, measured in call-backs after submitting applications.

Though the impact of offender-status was greater for Black applicants, Black ex-offenders still received slightly higher ratings than White ex-offenders overall. Braun and Gollwitzer's (2012) study provides some insight to this finding. They discovered a leniency effect of offenders in the out-group. They believe this leniency was an effort to exhibit morality, because when participants were given another way to establish their moral credentials, the leniency effect disappeared. This study provided no other means of establishing credentials, making it plausible that participants were seeking to show morality by being lenient on the out-group offenders.

The two additional two-way interactions hypothesized, race and redemption point and redemption point and offender-status, were non-significant, failing to support hypotheses five and six. As both of these interactions included the non-significant redemption point factor, it is likely due to the unsuccessful manipulation.

The proposed three-way interaction was also non-significant, meaning hypothesis seven was also not supported. This could in part be due to the unsuccessful manipulation as well as lacking power to detect the small effect. Though small effect sizes were predicting in the power

analysis prescribing 60 people, data could only be used from 61 participants. This leave very little room for small effect sizes to demonstrate meaningful differences in three-way interactions.

There was no evidence of mediation of racism. However, the analysis showed that offender-status and racism scores share about 1% of the variance in ratings of risk. Looking back to the intercorrelation matrix of the dependent variables with age, gender, and racism scores, we can see that of the six dependent variables, racism scores were most highly correlated with ratings of risk.

### **Limitations**

There are some limitations to these findings. First, the sample was comprised entirely of undergraduate students. Though a large number of students currently work part-time (55%) and most of those who are not currently working have worked in the past (and additional 33%), only 6% of participants had been involved in the hiring process. This limits the external validity of the study, as a student sample is not generalizable to employees who regular hire for their organization. A future study could recruit hiring managers from organizations in a wide variety of fields.

The nature of repeated measures studies requires participants to complete a long survey. Most participants completed the survey in 30 to 40 minutes. Though the applications were given in a random order for each participant to counter-balance the presentation of the five different types of applications, participant fatigue may have affected the results. Mental fatigue, occurring from prolonged cognitive activity, can affect participants in long, repeated-measure designs. Boksem, Meihman, and Lorist (2005) show that participants lose goal-directed attention in experiencing mental fatigue, potentially affecting results of studies. In addition, participants may not have carefully read the hiring decisions instructions, potentially limiting the effectiveness of

the EEOC recommendations and redemption point information manipulation. An additional manipulation check within the primary study could have identified this problem.

Additionally, the potential mediator measured in attempt to explain the effects were measured either with a scale that may have used some outdated language, influencing participants' responses. Another threat to accuracy of measuring racism is social desirability. Participants quite likely knew the purpose of this series of questions and knew the socially acceptable responses. This is evident in the very little variance found in responses,  $\sigma = .04$ .

Task performance, contextual performance, and counterproductive work behaviors are typically measured with scales, not just a single item. Single item scales are typically discouraged, as we cannot determine their psychometric properties like reliability. The decision to use only one item was made to avoid fatiguing participants, however this could have affected the accuracy of our measurement of these three constructs. Future studies could use full scales for each of these constructs but decrease the number of applications to be rated. Additionally, the redemption point information manipulation was limited to a single bullet point within a paragraph of instructions. It was possible for participants to continue to the survey without reading the information. A future study could require the participant to stay on the instructions page for a certain amount of time before clicking forward or include an auditory explanation of the redemption point and the EEOC *Enforcement Guidance* to be sure the participant is acquiring the information.

### **Future Research and Application**

This line of research has implications for informing managers in hiring positions. The main effect finding of preference for non-offenders, even when ex-offenders have surpassed the redemption point and the EEOC *Enforcement Guidance* would recommend at least interviewing

the job applicant, shows that specific training is necessary to counteract the strong bias towards non-offenders. Future studies should use a more generalizable sample than undergraduates who, for the most part, have not had experience in making hiring decisions. Hiring managers may respond differently to these same manipulations due to the salience of the issue to their own work. Legal issues in hiring decisions are likely more salient, making new information within the topic easier to learn. Research in cognitive psychology shows expertise in a subject area facilitates memory of information within that subject area, even if it is presented for a short amount of time (Chase & Simon, 1973). Additionally, as hiring managers likely have ample practice in reviewing large stacks of applications, they may not be as fatigued by the process as student participants.

Additionally, developing and assessing a more extensive EEOC/redemption point training in future studies may drive this line of research forward. First, a more salient presentation of the redemption point information could bring more attention to the topic. This study presented the information within other recommendations for hiring decisions. Presented separately, the redemption point information may have captured more of the participants' attention. Incorporating principles of effective training could enhance learning. For example, active learning is important to the training process (Brown & Ford, 2002). Learners should have the opportunity to participate. An e-learning tool may be effective when creating a standardized training with which learners can interact. Bell, Kanar, & Kozlowski (2008) note the potential of online training programs as a flexible, innovative solution for widely distributed trainings with active learning components.

An effective training could be distributed to organizations for their hiring managers. This training would be directly related to a hiring manager's job and therefore may increase

motivation to learn. This may allow the training to be more effective, as motivation is a key component of training (Colquitt et al., 2000). A widely distributed training has the power to spark change in many organizations and for many deserving job-seekers.

Moreover, there are policy implications for the EEOC. The *Enforcement Guidance* has presented recommendations for how to handle applicants with criminal histories. However, these findings show that simply reading the recommendations may not be effective in changing the pattern of decision-making, as participants' ratings of employability did not vary based on whether or not they received the redemption point and EEOC information. Currently, organizations are cautioned in their use of criminal background checks for selection. However, the EEOC's policy may change in the future as a result of organizations not following the recommendations for its use.

A follow-up study should recruit samples of individuals who make selection decisions regularly. As stated previously, this may alter response patterns through differences in experience with the subject and less fatigue from evaluating multiple applications at once. Additionally, a training that could realistically be implemented in a wide variety of organizations should be developed, guided by the training literature, and the effectiveness of this training should be assessed. In order to address the likelihood of demand characteristics influencing response patterns, factors like race and offender-status should be less salient to participants. The present study uses a blue check box to indicate race, which may draw too much attention to the variable, quickly bringing the participant's attention to this variable. An alternative may be to provide structured interview video recordings instead of applications. This study also kept type of crime constant throughout the applications. A follow-up study should vary the type of offense

to determine whether or not knowledge of the redemption point and the EEOC recommendations functions differently depending on the type of crime.

## **Conclusions**

Offender status clearly influenced ratings of employability, showing that ex-offenders were less hireable employees than non-offenders for both White and Black applicants. These results indicate that simply presenting written information explaining the redemption point and the EEOC *Enforcement Guidance* along with other criteria/guidelines for hiring decisions does not mitigate the negative impact of having a criminal history, regardless of race. A stronger manipulation of the redemption point may be necessary to alter decision-making patterns.



## Tables

Table 1

*Means and Standard Deviations for Qualification Ratings of Applicants*

	Means	Standard Deviations	N
Study Applicants	4.86	1.16	14
Less Qualified Applicants	3.73	1.53	14
More Qualified Applicants	5.37	1.08	14

Table 2

*Mean Overall Ratings of Dependent Measures*

	Mean	Standard Deviation	N
Interview	5.09	1.51	1464
Hire	4.83	1.50	1464
Task	5.13	1.36	1464
Contextual	4.69	1.38	1464
CWB	2.94	1.71	1464
Risk	1.48	1.78	1464
Racism	1.85	0.36	61

Table 3

*Mean Ratings of Willingness to Interview*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	4.51 (1.43)	5.65 (1.37)	5.08 (1.40)	4.16 (1.49)	5.57 (1.18)	4.85 (1.34)
Black	4.52 (1.32)	5.82 (1.33)	5.17 (1.33)	4.19 (1.39)	5.87 (1.02)	5.09 (1.21)
Total	4.52 (1.38)	5.73 (1.35)		4.18 (1.44)	5.72 (1.10)	

Note.  $N = 61$ .

Table 4

*Mean Ratings of Willingness to Hire*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	4.22 (1.40)	5.48 (1.37)	4.85 (1.39)	3.95 (1.42)	5.35 (1.18)	4.65 (1.30)
Black	4.27 (1.37)	5.65 (1.31)	5.02 (1.34)	3.97 (1.37)	5.65 (1.11)	4.81 (1.24)
Total	4.25 (1.39)	5.57 (1.34)		3.96 (1.40)	5.50 (1.15)	

Note.  $N = 61$ .

Table 5

*Mean Ratings of Task Performance*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	4.67 (1.32)	5.62 (1.29)	5.14 (1.31)	4.52 (1.37)	5.49 (1.08)	5.01 (1.23)
Black	4.75 (1.35)	5.73 (1.20)	5.27 (1.28)	4.49 (1.35)	5.68 (1.15)	5.09 (1.25)
Total	4.71 (1.34)	5.68 (1.25)		4.51 (1.36)	5.59 (1.12)	

Note.  $N = 61$ .

Table 6  
*Mean Ratings of Contextual Performance*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	4.18 (1.26)	5.05 (1.39)	4.62 (1.35)	4.05 (1.35)	5.11 (1.23)	4.58 (1.29)
Black	4.20 (1.21)	5.25 (1.33)	4.73 (1.27)	4.14 (1.29)	5.31 (1.17)	4.73 (1.23)
Total	4.19 (1.24)	5.15 (1.36)		4.10 (1.32)	5.21 (1.20)	

Note.  $N = 61$ .

Table 7  
*Mean Ratings of Counterproductive Work Behaviors*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	3.89 (1.50)	1.98 (1.31)	2.94 (1.41)	3.65 (1.56)	2.30 (1.58)	2.98 (1.57)
Black	3.80 (1.54)	2.13 (1.48)	2.97 (1.51)	3.61 (1.51)	2.34 (1.74)	2.98 (1.63)
Total	3.85 (1.52)	2.06 (1.40)		3.63 (1.54)	2.32 (1.66)	

Note.  $N = 61$ .

Table 8  
*Mean Ratings of Risk to the Organization*

	Redemption Point Information			No Redemption Point Information		
	Ex-Offender	Non-Offender	Total	Ex-Offender	Non-Offender	Total
White	3.81 (1.27)	2.12 (1.51)	2.96 (1.39)	4.04 (1.56)	2.41 (1.76)	3.22 (1.66)
Black	3.67 (1.37)	2.09 (1.44)	2.88 (1.41)	4.02 (1.59)	2.35 (1.79)	3.18 (1.69)
Total	3.74 (1.32)	2.10 (1.48)		4.03 (1.58)	2.38 (1.78)	

Note.  $N = 61$ .

Table 9  
*Intercorrelation Matrix of Dependent and Demographic Variables*

	1	2	3	4	5	6	7	8	9
1. Interview	1.00								
2. Hire	0.94	1.00							
3. Task	0.86	0.88	1.00						
4. Contextual	0.61	0.67	0.66	1.00					
5. CWB	-0.37	-0.29	-0.29	-0.18	1.00				
6. Risk	-0.46	-0.49	-0.50	-0.36	0.24	1.00			
7. Age	-0.03	-0.05	-0.09	-0.04	-0.13	0.17	1.00		
8. Gender	0.17	0.24	0.28	0.21	-0.03	-0.14	0.11	1.00	
9. Racism	0.15	0.11	0.14	0.00	0.05	-0.23	-0.26	0.32	1.00

Note. For gender, males are coded as 1 and females are coded as 2. Increases in racism scores indicate lower levels of racism.

Table 10  
*Multivariate Effects*

Variable	Wilk's Lambda	F	df	Error df	$\eta^2$
Additional Info	0.981	0.173	6	54	.02
Race	0.783	2.492*	6	54	.22
Race * Additional Info	0.961	0.370	6	54	.04
		14.974**			
Criminal History	0.375	*	6	54	.63
Criminal History * Additional Info	0.876	1.280	6	54	.13
Race * Criminal History	0.797	2.288*	6	54	.20
Race * Criminal History * Additional Info	0.900	0.998	6	54	.10

Note. \* indicates  $p < .05$ , \*\*\* indicates  $p < .001$ .

Table 11  
*Univariate Effects for Race*

Dependent Measures	Sum of Squares	F	df	$\eta^2$
Interview	6.208	8.227**	1	.00
Hire	6.582	9.453**	1	.00
Task	2.457	2.679	1	.00
Contextual	6.408	10.794**	1	.00
CWB	0.058	0.09	1	.00
Risk	1.361	1.605	1	.00

Note. \* indicates  $p < .05$ , \*\* indicates  $p < .01$ , \*\*\* indicates  $p < .001$ .

Table 12  
*Univariate Effects for Criminal History*

Dependent Measures	Sum of Squares	F	df	$\eta^2$
Interview	676.379	75.344***	1	.08
Hire	727.871	76.591***	1	.09
Task	367.925	46.847***	1	.04
Contextual	379.344	49.567***	1	.05
CWB	842.354	53.288***	1	.10
Risk	941.158	66.166***	1	.11

Note. \* indicates  $p < .05$ , \*\* indicates  $p < .01$ , \*\*\* indicates  $p < .001$ .

Table 13  
*Univariate Effects for Race by Criminal History*

Dependent Measures	Sum of Squares	F	df	$\eta^2$
Interview	3.912	10.313**	1	.00
Hire	3.464	6.709*	1	.00
Task	1.415	3.214	1	.00
Contextual	1.537	3.341	1	.00
CWB	2.548	2.57	1	.00
Risk	0.08	0.082	1	.00

Note. \* indicates  $p < .05$ , \*\* indicates  $p < .01$ , \*\*\* indicates  $p < .001$ .

Table 14

*Offender Status Predicting Risk, Mediated by Modern Racism Scale Score*

	<i>B</i>	<i>t</i>	<i>r</i> <sup>2</sup>	$\Delta r^2$
Intercept	5.20	5.91		
Racism Score	1.21	2.76*	0.03	0.03
Offender Status	-1.61	-9.68***	0.30	0.27

*Note.* \* indicates  $p < .05$ , \*\*\* indicates  $p < .001$

## References

- Aarts, H., Verplanken, B., & van Knippenberg, A. (1998). Predicting behavior from actions in the past: Repeated decision making or a matter of habit? *Journal of Applied Social Psychology, 28*(15), 1355-1374. doi: 10.1111/j.1559-1816.1998.tb01681.x
- Baldwin, T. T. & Ford, J. K. (1988). Transfer of training: A review and directions for future research. *Personnel Psychology, 41*(1), 63-105. doi: 10.1111/j.1744-6570.1988.tb00632.x.
- Baron, R. M. & Kenny, D. A. (1986). The moderator-mediator variable distinction in social psychological research: Conceptual, strategic, and statistical considerations. *Journal of Personality and Social Psychology, 51*(6), 1173-1182. doi: 10.1037/0022-3514.51.6.1173.
- Batterham, A. M., & Hopkins, W. G. (2006). Making meaningful inferences about magnitudes. *Journal of Sports Physiology and Performance, 1*, 50-57.
- Bell, B. S., Kanar, A. M., & Kozlowski, S. W. (2008). Current issues and future directions in the simulation-based training in North America. *The International Journal of Human Resource Management, 19*(8), 1416-1434. doi:10.1080/09585190802200173.
- Binning, J. F., & Barrett, G. V. (1989). Validity of personnel decisions: A conceptual analysis of the inferential and evidential bases. *Journal of Applied Psychology, 74*(3), 478-494. doi: 10.1037/0021-9010.74.3.478.
- Blumstein, A., Farrington, D. P., & Moitra, S. (1985). Delinquency careers: Innocents, desisters, and persisters. *Crime and Justice, 6*, 187-219. doi: 10.1086/449107.

- Blumstein, A., & Nakamura, K. (2009). Redemption in the presence of widespread criminal background checks. *Criminology*, *47*(2), 327-359. doi: 10.1111/j.1745-9125.2009.00155.x.
- Boksem, M. A. S., Meijman, T. F., & Lorist, M. M. (2005). Effects of mental fatigue on attention: An ERP study. *Cognitive Brain Research* *25*, 107-116. doi: 10.1016/j.cogbrainres.2005.04.011.
- Borman, W. C., & Motowidlo, S. J. (1993). Expanding the criterion domain to include elements of contextual performance. *Personnel Selection in Organizations*, *71*, 99-109. doi: 10.1207/s15327043hup1002\_3.
- Brame, R., Bushway, S. D., & Paternoster, R. (2003). Examining the prevalence of criminal desistance. *Criminology*, *41*(2), 423-448. doi: 10.1111/j.1745-9125.2003.tb00993.x.
- Brame, R., Bushway, S. D., Paternoster, R., & Turner, M. G. (2014). Demographic patterns of cumulative arrest prevalence by ages 18 and 23. *Crime and Delinquency*, *60*(3) 471-486. doi: 0011128713514801.
- Braun, J., & Gollwitzer, M. (2012). Leniency for out-group offenders. *European Journal of Social Psychology*, *42*(7), 883-892. doi: 10.1002/ejsp.1908.
- Brown, K. G., & Ford, J. K. (2002). Using computer technology in training: Building an infrastructure for learning. *Creating, implementing, and managing effective training and development*, 192-233.
- Chase, W. G., & Simon, H. A. (1973). Perception in Chess. *Cognitive Psychology*, *4*(1), 55-81. doi: 10.1016/0010-0285(73)90004-1.

- Colquitt, J. A., LePine, J. A., & Noe, R. A. (2000). Toward an integrative theory of training motivation: A meta-analytic path analysis of 20 years of research. *Journal of Applied Psychology, 85*(5), 678-707. doi: 10.1037/0021-9010.85.5.678.
- Cohen, J. (1977). *Statistical power analysis for the behavioral science*. Hillsdale, New Jersey: Lawrence Erlbaum Associates. doi: 10.1016/b978-0-12-179060-8.50009-8.
- Carson, E. A., & Sabol, W. J. (2012). Prisoners in 2011. *Washington, DC: Bureau of Justice Statistics*.
- Cascio, W. F. & Aguinis, H. (2001). The federal uniform guidelines on employee selection procedures (1978): An update on selected issues. *Review of Public Personnel Administration, 21*(3), 200-218. doi: 10.1177/0734371x0102100303.
- Dalal, R. S., Brummel, B. J., Baysinger, M., & LeBreton, J. M. (2012). The relative importance of employee engagement, other job attitudes, and trait affect as predictors of job performance. *Journal of Applied Social Psychology, 42*, 295-325. doi: 10.1111/j.1559-1816.2012.01017.x.
- Entman, R. M. (1990). Modern racism and the images of Blacks in local television news. *Critical Studies in Mass Communication, 7*(4), 332-345. doi: 10.1080/15295039009360183.
- Freeman, R. B. (1992). "Crime and the employment of disadvantaged youth," in Harrell, A. V., & Peterson, G. E. (Eds.). *Drugs, crime, and social isolation: Barriers to urban opportunity*. The Urban Institute. doi: 10.3386/w3875.
- Goffman, E. (1963). *Stigma: Notes on the management of spoiled identity*. Englewood Cliffs, NJ: Prentice-Hall.

- Gordon, R. A., Michels, J. L., Nelson, C. L. (1996). Majority group perceptions of criminal behavior: The accuracy of race-related crime stereotypes. *Journal of Applied Social Psychology, 26*(2), 148-159. doi: 10.1111/j.1559- 1816.1996.tb01843.x.
- Gottfredson, M. R. & Hirschi, T. (1990). *A General Theory of Crime*. Palo Alto, CA: Standford University Press. doi: 10.1093/sf/71.2.545.
- Graffam, J., Shinkfield, A. J., & Hardcastle, L. (2008). The perceived employability of ex-prisoners and offenders. *International Journal of Offender Therapy and Comparative Criminology, 52*(6), 673-685. doi: 10.1177/0306624x07307783.
- Grogger, J. (1995). The effect of arrests on the employment and earnings of young men. *The Quarterly Journal of Economics, 110*(1), 51-71. doi: 10.2307/2118510.
- Harris, P. M., & Keller, K. S. (2005). Ex-offenders need not apply: The criminal background check in hiring decisions. *Journal of Contemporary Criminal Justice, 21*(1), 6-30. doi: 10.1177//1043986204271678.
- Hollinger, R. C., & Clark, J. P. (1983). *Theft by employees*. Lexington, MA: Lexington Books. doi: 10.1093/sf/63.2.584.
- Holzer, H. J., Raphael, S., & Stoll, M. A. (2006). Perceived Criminality, Criminal Background Checks, and the Racial Hiring Practices of Employers. *Journal of Law and Economics, 49*(2), 451-480. doi: 10.1086/501089.
- Holzer, H. J., Raphael, S., & Stoll, M. A. (2007). The effect of an applicant's criminal history on employer hiring decisions and screening practices: Evidence from Los Angeles. *Barriers to reentry? The labor market for released prisoners in post-industrial America, 117-150.*



- Hurwitz, J. & Peffley, M. (1997). Public perceptions of race and crime: The role of racial stereotypes. *American Journal of Political Science*, 41(2), 375-401. doi: 10.2307/2111769.
- Isaacson, J. A., Griffith, R. L., Kung, M., Lawrence, A., & Wilson, K. (2008, April). *Liar, liar: Examining background checks and applicants who fail them*. Poster presented for the annual meeting of the Society for Industrial & Organizational Psychology, San Francisco, CA.
- Kane, J. S. (1982). *Rethinking the problem of measuring performance: Some new conclusions and a new appraisal method to fit them*. In 4th Johns Hopkins University National Symposium on Educational Research, Washington, DC.
- Karren, R. J., & Barringer, M. W. (2002). A review and analysis of the policy-capturing methodology in organizational research: Guidelines for research and practice. *Organizational Research Methods*, 5(4), 337-361. doi: 10.1177//109442802237115.
- Kurlychek, M. C., Brame, R., & Bushway, S. D. (2006). Scarlet letters and recidivism: Does an old criminal record predict future offending? *Criminology & Public Policy*, 5(3), 483-504. doi: 10.1111/j.1745-9133.2006.00397.x.
- Kurlychek, M. C., Brame, R., & Bushway, S. D. (2007). Enduring risk? Old criminal records and predictions of future criminal involvement. *Crime & Delinquency*, 53, 64-83. doi: 10.1177/0011128706294439.
- Landy, F. J. (1986). Stamp collecting versus science: Validation as hypothesis testing. *American Psychologist*, 41(11), 1183-1192. doi: 10.1037/0003-066x.41.11.1183.
- Langan, P. A. & Levine, D. J. (2002). Recidivism of prisoners released in 1994. *Federal Sentencing Reporter*, 15(1), 58-65. doi: 10.1525/fsr.2002.15.1.58.

- LeBel, T. P. (2011). "If one doesn't get you another one will": Formerly incarcerated persons' perceptions of discrimination. *The Prison Journal*, 92(1), 63-87. doi: 10.1177/0032885511429243.
- McConahay, J. B. (1986). Modern racism, ambivalence, and the Modern Racism Scale. In J. F. Dovidio & S. L. Gaertner (Eds.), *Prejudice, discrimination, and racism* (pp. 91-125). Orlando FL: Academic Press. doi: 10.1002/0471264385.wei0521.
- Murphy, D. S., Fuleihan, B., Richards, S. C., & Jones, R. S. (2011). The electronic "scarlet letter": Criminal backgrounding and a perpetual spoiled identity. *Journal of Offender Rehabilitation*, 50(30), 101-118. doi: 10.1080-10509674.2011.560548.
- Murphy, K. R. & Shiarella, A. H. (1997). Implications of the multidimensional nature of job performance for the validity of selection tests: Multivariate frameworks for studying test validity. *Personnel Psychology*, 50, 823-854. doi: 10.1111/j.1744-6570.1997.tb01484.x.
- Ones, D., Viswesvaran, C., & Schmidt, F. L. (1993). Comprehensive meta-analysis of integrity test validities: Findings and implications for personnel selection and theories of job performance. *Journal of Applied Psychology*, 78(4), 679-703. doi: 10.1037/0021-9010.78.4.679.
- Organ, D. W. (1988). *Organizational citizenship behavior: The good soldier syndrome*. Lexington, MA: Lexington Books. doi: 10.2307/2393071.
- Orne, M. T. (1962). On the social psychology of the psychological experiment: With particular reference to demand characteristics and their implications. *American Psychologist*, 17(11), 776-783. Doi: 10.1037/1522-3736.5.1.535a.

- Ouellette, J. A. & Wood, W. (1998). Habit and intention in everyday life: The multiple processes by which past behavior predicts future behavior. *Psychological Bulletin*, *124*(1), 54-74. doi: 10.1037/0033-2909.124.1.54.
- Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, *108*(5), 937-975. doi: 10.1086/374403.
- Piquero, A. R., Farrington, D. P., & Blumstein, A. (2003). The criminal career paradigm. *Crime and Justice*, *30*, 359-506.
- Pratt, T. C. & Cullen, F. T. (2000). The empirical status of Gottfredson and Hirschi's general theory of crime: A meta-analysis. *Criminology*, *38*(3), 931-964. doi: 10.1111/j.1745-9125.2000.tb00911.x.
- Pryor, J. B., Reeder, G. D., Yeadon, C., & Hesson-McInnis, M. (2004). A dual-process model of reactions to perceived stigma. *Journal of Personality and Social Psychology*, *87*(4), 436-452. Doi: 10.1037/0022-3514.87.4.436.
- Robinson, S. L., & Bennett, R. J. (1995). A typology of deviant workplace behaviors: A multidimensional scaling study. *Academy of Management Journal*, *38*(2), 555-572. doi: 10.2307/256693.
- Rotundo, M. & Sackett, P. R. (2002). The relative importance of task, citizenship, and counterproductive performance to global ratings of job performance: A policy-capturing approach. *Journal of Applied Psychology*, *87*(1), 66-80. doi: 10.1037/0021-9010.87.1.66.
- Sackett, P. R., Zedeck, S., & Fogli, L. (1988). Relations between measures of typical and maximum job performance. *Journal of Applied Psychology*, *73*(3), 482-486. doi: 10.1037/0021-9010.73.3.482.

- Shoben, E. W. (1978). Differential pass-fail rates in employment testing: Statistical proof under Title VII. *Harvard Law Review*, 793-813. doi: 10.2307/1340356.
- Silverman (2012). *What HR Professionals Need to Know About the EEOC's New Guidance on Criminal Background Checks*. Retrieved from <http://www.shrm.org/advocacy/issues/documents/special%20report%20final%20%20silverman%20on%20eoc%20guidance%20042712.pdf>.
- Snyder, C. R. (1985). Collaborative companions: The relationship of self-deception and excuse-making. In M. W. Martin (Ed.), *Self-deception and self-understanding* (pp. 235-260). New York: McGraw-Hill. doi: 10.1086/292808.
- Spohn, C., & Holleran, D. (2000). The imprisonment penalty paid by young, unemployed black and Hispanic male offenders. *Criminology*, 38(1), 281-306. doi: 10.1111/j.1745-9125.2000.tb00891.x.
- Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The interaction of race, gender, and age in criminal sentencing: The punishment cost of being young, black and male. *Criminology*, 36(4), 763-798. doi: 10.1111/j/1745-9125.1998.tb01265.x.
- Uggen, C. (2000). Work as a turning point in the life course of criminals: A duration model of age, employment, and recidivism. *American Sociological Review*, 67, 529-546. doi: 10.2307/2657381.
- U.S. Census Bureau. (2012). *Statistical Abstract of the United States: 2012*. Washington, DC: U.S. Census Bureau.
- Vargese, F. P., Hardin, E. E., Bauer, R. L., Morgan, R. D. (2010). Attitudes toward hiring offenders: The roles of criminal history, job qualifications, and race. *International*

*Journal of Offender Therapy and Comparative Criminology*, 54(5), 769-782. doi:  
10.1177/0306624X09344960.

Watstein, R. D. (2009). Out of jail and out of luck: The effect of negligent hiring liability and the criminal record revolution on an ex-offender's employment prospects. *Florida Law Review*, 61, 581.

Weiner, B., Perry, R. P., Magnusson, J. (1988). An attributional analysis of reactions to stigmas. *Journal of Personality and Social Psychology*, 55(5), 738-748. doi: 10.1037/0022-3514.55.5.738.

Zedeck, S. & Cascio, W. F. (1984). Psychological issues in personnel decisions. *Annual Review of Psychology*, 35, 461-518. doi: 10.1146/annurev.ps.35.020184.002333.

## **Appendices**

- A. Redemption Point and EEOC *Guidance* Manipulation
- B. Manipulation Check of the Informational Paragraphs
- C. Sample Applications
- D. Manipulation Check for Equivalence of Qualifications
- E. Items to be asked for each application
- F. Demographic Information
- G. Modern Racism Scale
- H. Extended Intercorrelation Matrix
- I. Interaction Figures

## Appendix A – Redemption Point and EEOC *Guidance* Manipulation

### Informational Paragraph A (experimental group)

#### Instructions for Decision Making

Thank you for participating in our selection process! We are glad to have you assist in this initial screening process. We would like you to rate the likelihood for you to interview and hire each applicant who has recently applied for the **Entry Level Sales Associates** position in our retail stores.

For this position, the required tasks are:

- \* Greet and assist customers
- \* Possess knowledge of the merchandise and promotions
- \* Use the cash register as needed

You will be asked to review a 1 page application for each of 40 applicants. Please consider the following information when providing your ratings:

1. The applicant's work history.
2. The applicant's criminal history.

The Equal Employment Opportunity Commission provides recommendations in their April 2012 *Enforcement Guidance*, advising organizations to consider the nature of the offense, the nature of the job, and the time that has elapsed since the offense was committed. The **Redemption Point** is a point in time when an ex-offender is **no more likely** than the average person to commit a crime. Depending on the type of crime, this time point is typically between 6 and 7 years after the offense.

3. The applicant's education information.
4. We are an Equal Opportunity employer. We make decisions without regard to race, color, age, gender, gender identity, sexual orientation, religion, marital status, physical/mental disabilities, or national origin.
5. The Sales Associate position is for full-time, part-time, and seasonal sales associates. For this position, we do not prefer one over the other.

For each applicant, you will be asked to rate his or her overall employability, performance, and risk to the organization using a 7 point rating scale.

Informational Paragraph B (control group)

Instructions for Decision Making

Thank you for participating in our selection process! We are glad to have you assist in this initial screening process. We would like you to rate the likelihood for you to interview and hire each applicant who has recently applied for the **Entry Level Sales Associates** position in our retail stores.

For this position, the required tasks are:

- \* Greet and assist customers
- \* Possess knowledge of the merchandise and promotions
- \* Use the cash register as needed

You will be asked to review a 1 page application for each of 40 applicants. Please consider the following information when providing your ratings:

1. The applicant's work history.
2. The applicant's criminal history.

Use your best judgment whether to consider this information in your ratings.

3. The applicant's education information.
4. We are an Equal Opportunity employer. We make decisions without regard to race, color, age, gender, gender identity, sexual orientation, religion, marital status, physical/mental disabilities, or national origin.
5. The Sales Associate position is for full-time, part-time, and seasonal sales associates. For this position, we do not prefer one over the other.

For each applicant, you will be asked to rate his or her overall employability, performance, and risk to the organization using a 7 point rating scale.



## Appendix B – Manipulation Check of the Informational Paragraphs

Thank you for participating in this study. Please review the following information. Once you have finished, you will be asked a series of questions based on the information you have read.

1. Organizations should not hire individuals who have been convicted of a crime.
  - a. True
  - b. False
2. Organizations should consider which of the following when faced with an applicant with a criminal history:
  - a. who the ex-offender would be working with in the organization
  - b. why the ex-offender is applying for this position
  - c. the nature of the offense, the nature of the job, and the time elapsed
  - d. none of the above
3. Ex-offenders are more likely to commit a crime than non-offenders, even decades after the offense was committed.
  - a. True
  - b. False
4. An employer would be at significantly greater risk for a negligent hiring lawsuit in hiring an individual who committed a crime 8 years ago than an individual who did not.
  - a. True
  - b. False
5. Employers should recognize that after a period of time, ex-offenders are no more likely than the general population to commit a crime.
  - a. True
  - b. False

Appendix C – Sample Applications

Sample of African American non-offender

<b>Sales Associate Application</b>			
<b>General Information</b>			
<b>Name</b> (Last) (First) (Middle) Connor Jared R.			<b>Position Desired</b> sales
<b>Email Address</b> jrconnor@gmail.com			<b>Date Available to Work</b> immediately
<b>Street Address</b> 7156 Millhouse Way			<b>I am interested in:</b> <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> Seasonal
<b>City</b> Fort Collins	<b>State</b> CO	<b>Zip</b> 80254	<b>Are you at least 18 years old?</b> yes
<b>Telephone</b> (Home) 970-582-9478	(Cell) 970-568-4871		<b>Race</b> <input checked="" type="checkbox"/> African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> White <input type="checkbox"/> Native Hawaiian
<b>Have you ever been convicted of a crime?</b> No			
<b>If so, what was the offense and how ago did it occur?</b> n/a			
<b>Work Experience within the past 3 years</b>			
<b>Employer</b> Wing World			<b>Position</b> Host/Bus Boy
<b>Street Address</b> 765 Charles St	<b>City</b> Ft. Collins	<b>State/Zip</b> CO 80521	<b>Duties</b> Greet and seat customers, clean
<b>Contact Supervisor</b> Kim Berler	<b>Phone</b> 570-5468	<b>Title</b> Manager	<b>Dates of Employment</b> Feb 2012 - Present
<b>Employer</b> Gameland			<b>Position</b> Sales/Stocking
<b>Street Address</b> 67 West St	<b>City</b> Windsor	<b>State/Zip</b> CO 95492	<b>Duties</b> Interacted with customers, stocked
<b>Contact Supervisor</b> George Bemm	<b>Phone</b> 570-7362	<b>Title</b> Owner	<b>Dates of Employment</b> Jan 2011 – Jan 2012
<b>Education</b>			
<b>School</b>	<b>Address</b>	<b>Years Completed</b>	<b>Degree</b>
1. Fort Wayne High	27 Campus St	4	High School
2.			

Sample of white ex-offender

<b>Sales Associate Application</b>			
<b>General Information</b>			
<b>Name</b> (Last) (First) (Middle) Cooper Jeremy W.			<b>Position Desired</b> sales
<b>Email Address</b> wcooper@hotmail.com			<b>Date Available to Work</b> now
<b>Street Address</b> 67 8 <sup>th</sup> Ave			<b>I am interested in:</b> <input type="checkbox"/> Full-time <input checked="" type="checkbox"/> Part-time <input type="checkbox"/> Seasonal
<b>City</b> Denver	<b>State</b> CO	<b>Zip</b> 80002	<b>Are you at least 18 years old?</b> yes
<b>Telephone</b> (Home) n/a	(Cell) 970-570-4372	<b>Race</b> <input type="checkbox"/> African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input checked="" type="checkbox"/> White <input type="checkbox"/> Native Hawaiian	
<b>Have you ever been convicted of a crime?</b> Yes			
<b>If so, what was the offense and how ago did it occur?</b> Theft, 8 years ago			
<b>Work Experience within the past 3 years</b>			
<b>Employer</b> Pizza Pizzazz			<b>Position</b> Cook
<b>Street Address</b> 986 Main St	<b>City</b> Ft. Collins	<b>State/Zip</b> CO 80524	<b>Duties</b> Made delicious pizzas
<b>Contact Supervisor</b> Ben Chan	<b>Phone</b> 570-8242	<b>Title</b> Owner	<b>Dates of Employment</b> July 2012 – Dec 2013
<b>Employer</b> Houseware Emporium			<b>Position</b> Greeter/sales
<b>Street Address</b> 682 4 <sup>th</sup> St	<b>City</b> Denver	<b>State/Zip</b> 80002	<b>Duties</b> Assist customers, cashier
<b>Contact Supervisor</b> Leslie Mann	<b>Phone</b> 989-4378	<b>Title</b> Manager	<b>Dates of Employment</b> July 2011 - June 2012
<b>Education</b>			
<b>School</b>	<b>Address</b>	<b>Years Completed</b>	<b>Degree</b>
1. Ignatious High	983 Main St	4	High School
2.			

Sample of “distracter” application

<b>Sales Associate Application</b>			
<b>General Information</b>			
<b>Name</b> (Last) (First) (Middle) Chang Laura E.			<b>Position Desired</b> Sales associate
<b>Email Address</b> laurachang@gmail.com			<b>Date Available to Work</b> Start of next month
<b>Street Address</b> 3837 West Harper St			<b>I am interested in:</b> <input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input checked="" type="checkbox"/> Seasonal
<b>City</b> Fort Collins	<b>State</b> CO	<b>Zip</b> 80521	<b>Are you at least 18 years old?</b> yes
<b>Telephone</b> (Home) n/a	(Cell) 970-841-4836	<b>Race</b> <input type="checkbox"/> African American <input checked="" type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> White <input type="checkbox"/> Native Hawaiian	
<b>Have you ever been convicted of a crime?</b> Yes			
<b>If so, what was the offense and how ago did it occur?</b> Drug Possession, 4 years			
<b>Work Experience within the past 3 years</b>			
<b>Employer</b> Strings and Things			<b>Position</b> Cashier, recommended yarn
<b>Street Address</b> 58 32 <sup>nd</sup> St	<b>City</b> Windsor	<b>State/Zip</b> CO 95492	<b>Duties</b> Ring-up customers, stocking
<b>Contact Supervisor</b> Ruth Gaber	<b>Phone</b> 570-5340	<b>Title</b> Owner	<b>Dates of Employment</b> March 2012 - Present
<b>Employer</b> Gyro Hero			<b>Position</b> Cook
<b>Street Address</b> 903 East St	<b>City</b> Loveland	<b>State/Zip</b> 80537	<b>Duties</b> Prepared Food, cleaned
<b>Contact Supervisor</b> Fiona Carson	<b>Phone</b> 894-3726	<b>Title</b> Owner	<b>Dates of Employment</b> Feb 2011 - Feb 2012
<b>Education</b>			
<b>School</b>	<b>Address</b>	<b>Years Completed</b>	<b>Degree</b>
1. Fisher High	43 Fisher Dr	4	HS
2.			

## Appendix D – Manipulation Check for Equivalence of Qualifications

Please review the following 36 applications and indicate whether or not the applicant is qualified for the position of retail sales associate based on the work history and education information provided. You will be rating applicants on a scale of 1 to 7, with 1 being highly unqualified, 4 being adequately qualified, and 7 being highly qualified. The applicants vary in where they have worked previously, how many positions they have had, and vary slightly in tenure for each past position.

You may stop the survey at any time by exiting the page. By clicking to move forward you are consenting to participate in this research as a subject matter expert.

Appendix E – Items to be asked for each application

1. How likely are you to recommend interviewing this applicant?

1      2      3      4      5      6      7

2. How likely are you to recommend hiring this applicant?

1      2      3      4      5      6      7

3. What is the likelihood of this applicant effectively completing required tasks?

1      2      3      4      5      6      7

4. What is the likelihood of this applicant going above and beyond the requirements of the job to help the organization?

1      2      3      4      5      6      7

5. What is the likelihood of this applicant intentionally engaging in behaviors that work against the goals of the organization (leaving early, theft, blaming others, or harassment)?

1      2      3      4      5      6      7

6. What is the risk to the organization of hiring this applicant?

1      2      3      4      5      6      7

## Appendix F – Demographic Information

1. What is your date of birth?
2. Gender
  - a. Male
  - b. Female
  - c. Decline to Answer
3. Racial background
  - a. African American
  - b. Chinese
  - c. Filipino
  - d. Indian
  - e. Japanese
  - f. Korean
  - g. Southeast Asian
  - h. White Caucasian – non Hispanic
  - i. Hispanic
  - j. Mexican
  - k. American Indian, Alaskan Native
  - l. Middle Eastern
  - m. More than one race
  - n. Unknown
  - o. Decline to answer
4. What is your employment status?
  - a. Working full-time
  - b. Working part-time
  - c. Currently do not work, but have worked in the past
  - d. Currently do not work and have never worked
  - e. Decline to answer
5. Have you ever hired new employees?
  - a. Yes
  - b. No
  - c. Decline to answer

## Appendix G – Modern Racism Scale

1. Discrimination against racial minorities is no longer a problem in the United State. \*
2. It is easy to understand the anger of racial minorities in America.
3. Racial minorities have more influence upon school desegregation plans than they ought to have. \*
4. Racial minorities are getting too demanding in their push for equal rights.\*
5. Racial minorities should not push themselves where they are not wanted.\*
6. Over the past few years, racial minorities have gotten more economically than they deserve. \*
7. Over the past few years, the government and news media have shown more respect to racial minorities than they deserve.\*

\* *indicates the item is reverse coded.*



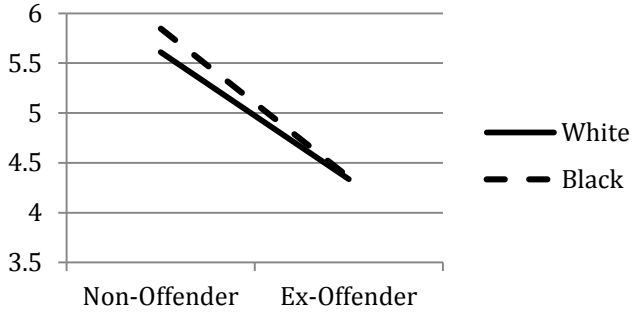
Appendix H – Extended Intercorrelation Matrix  
*Intercorrelation Matrix of Each Dependent Variable within its Category*

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
1. WN Interview	1																								
2. WN Hire	0.95	1																							
3. WN Task	0.90	0.94	1																						
4. WN Contextual	0.72	0.79	0.76	1																					
5. WN CWB	-0.25	-0.22	-0.21	-0.13	1																				
6. WN Risk	-0.41	-0.44	-0.45	-0.41	0.17	1																			
7. WY Interview	0.45	0.38	0.34	0.12	-0.07	-0.02	1																		
8. WY Hire	0.38	0.38	0.33	0.14	0.01	-0.02	0.96	1																	
9. WY Task	0.37	0.33	0.35	0.09	-0.12	-0.03	0.83	0.82	1																
10. WY Contextual	0.37	0.36	0.29	0.43	-0.08	-0.10	0.70	0.71	0.77	1															
11. WY CWB	-0.08	-0.05	-0.01	0.07	0.12	-0.07	-0.48	-0.47	-0.33	-0.27	1														
12. WY Risk	-0.17	-0.15	-0.15	0.01	0.01	0.26	-0.66	-0.69	-0.62	-0.51	0.53	1													
13. BN Interview	0.90	0.87	0.84	0.63	-0.21	-0.41	0.32	0.25	0.24	0.21	-0.04	-0.13	1												
14. BN Hire	0.87	0.91	0.86	0.67	-0.20	-0.43	0.29	0.28	0.27	0.27	0.05	-0.13	0.93	1											
15. BN Task	0.80	0.84	0.89	0.68	-0.17	-0.49	0.25	0.25	0.30	0.25	0.02	-0.17	0.88	0.91	1										
16. BN Contextual	0.64	0.71	0.68	0.90	-0.12	-0.39	0.10	0.12	0.09	0.44	0.10	-0.02	0.64	0.70	0.72	1									
17. BN CWB	-0.32	-0.26	-0.27	-0.15	0.93	0.17	-0.14	-0.06	-0.18	-0.12	0.16	0.01	-0.27	-0.26	-0.22	-0.14	1								
18. BN Risk	-0.44	-0.46	-0.45	-0.39	0.15	0.94	-0.06	-0.06	-0.06	-0.12	-0.03	0.30	-0.48	-0.50	-0.55	-0.41	0.19	1							
19. BY Interview	0.44	0.37	0.35	0.10	-0.14	-0.01	0.94	0.91	0.79	0.64	-0.43	-0.63	0.35	0.32	0.30	0.06	-0.19	-0.07	1						
20. BY Hire	0.37	0.37	0.34	0.14	-0.04	-0.04	0.90	0.93	0.80	0.68	-0.38	-0.63	0.26	0.30	0.29	0.10	-0.08	-0.10	0.95	1					
21. BY Task	0.37	0.34	0.38	0.09	-0.18	-0.04	0.76	0.73	0.90	0.68	-0.25	-0.55	0.31	0.33	0.41	0.08	-0.24	-0.11	0.81	0.81	1				
22. BY Contextual	0.29	0.29	0.25	0.38	-0.13	-0.06	0.66	0.67	0.74	0.95	-0.24	-0.49	0.18	0.23	0.25	0.41	-0.15	-0.10	0.65	0.70	0.73	1			
23. BY CWB	-0.09	-0.07	-0.06	-0.02	0.17	-0.05	-0.41	-0.38	-0.25	-0.20	0.90	0.44	-0.09	0.02	-0.04	0.03	0.17	-0.02	-0.39	-0.33	-0.23	-0.21	1		
24. BY Risk	-0.12	-0.10	-0.13	0.06	0.08	0.31	-0.62	-0.62	-0.61	-0.46	0.40	0.88	-0.09	-0.09	-0.17	0.05	0.03	0.34	-0.66	-0.67	-0.64	-0.48	0.41	1	

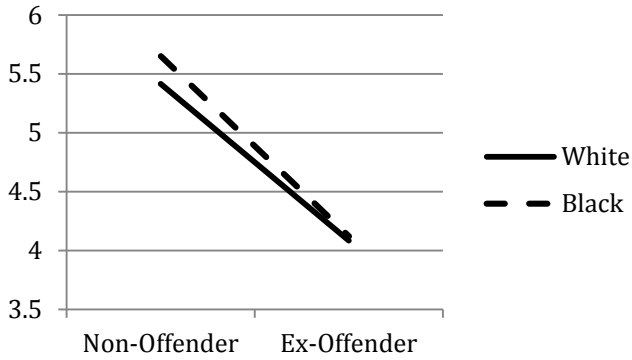
Appendix I – Interaction Figures

**Hypothesis 4: Race and Offender Status**

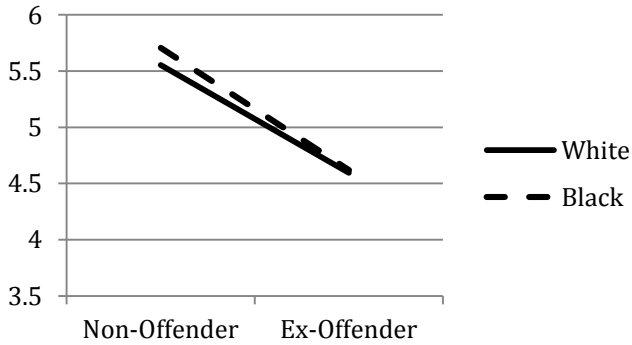
*Interview*



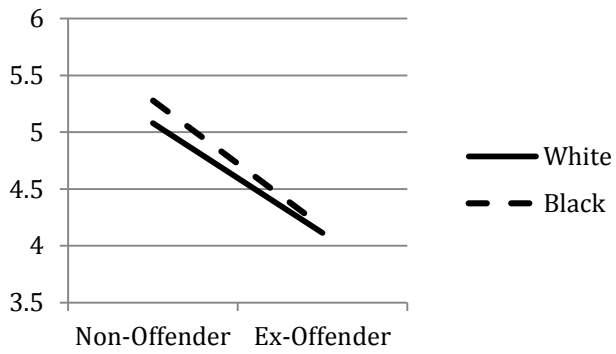
*Hire*



*Task Performance*



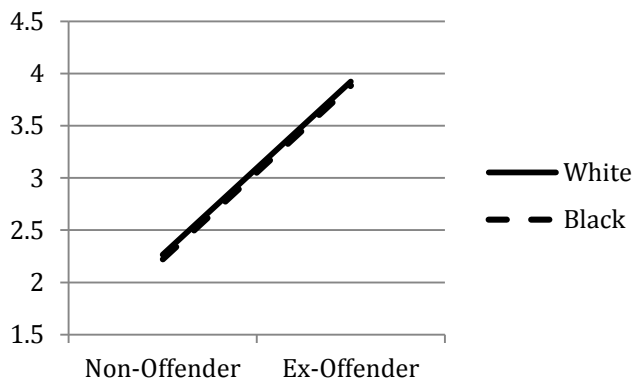
*Contextual Performance*



*Counterproductive Work Behaviors*

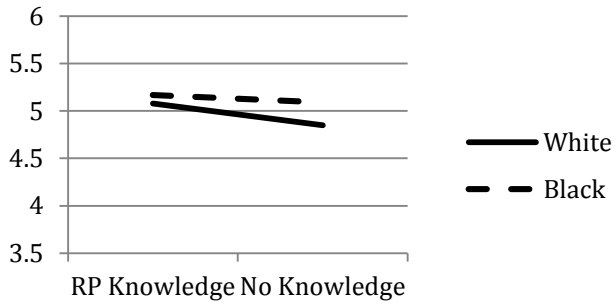


*Risk*

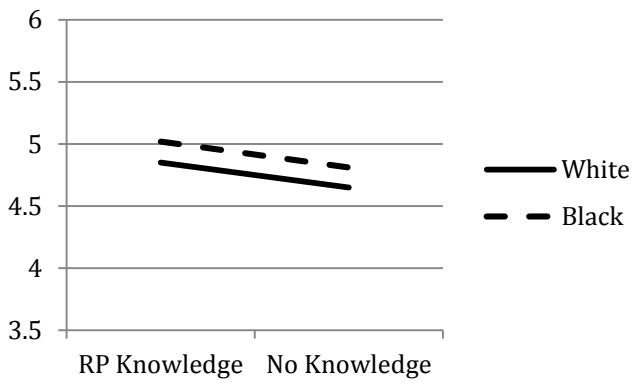


### Hypothesis 5: Race and Redemption Point Information

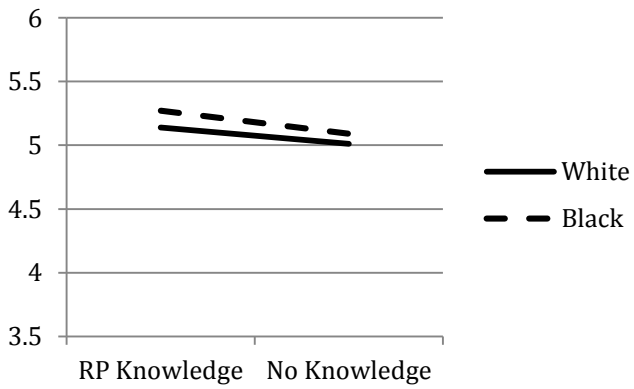
#### *Interview*



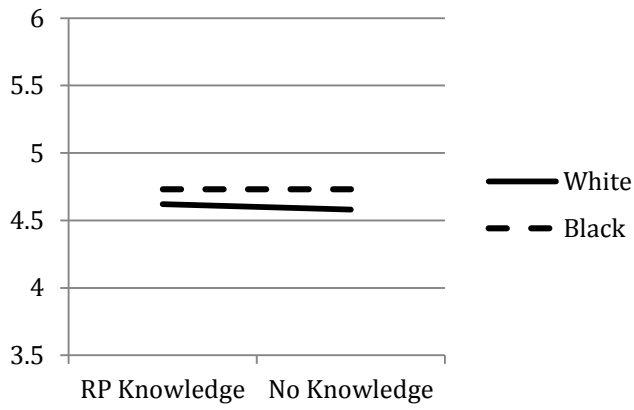
#### *Hire*



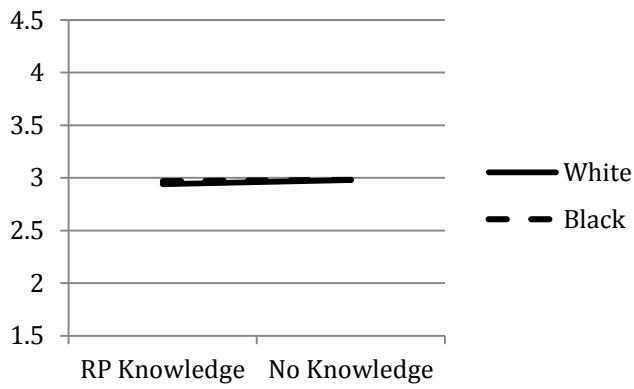
#### *Task Performance*



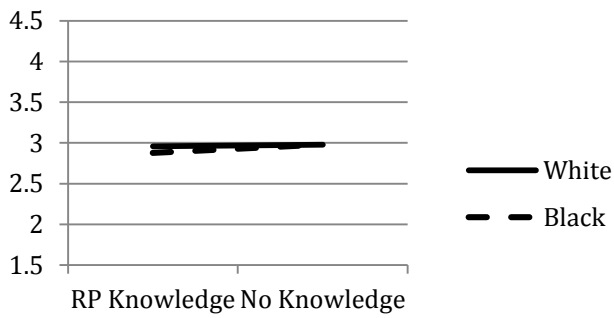
*Contextual Performance*



*Counterproductive Work Behaviors*

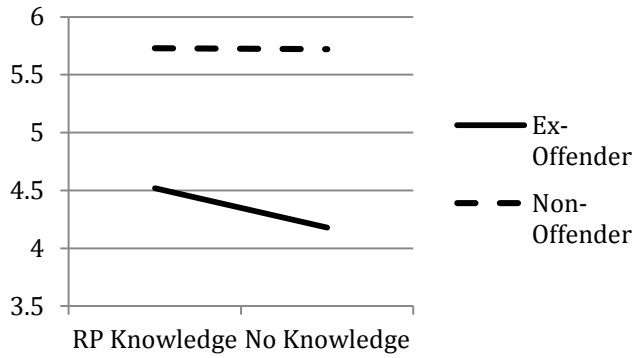


*Risk*

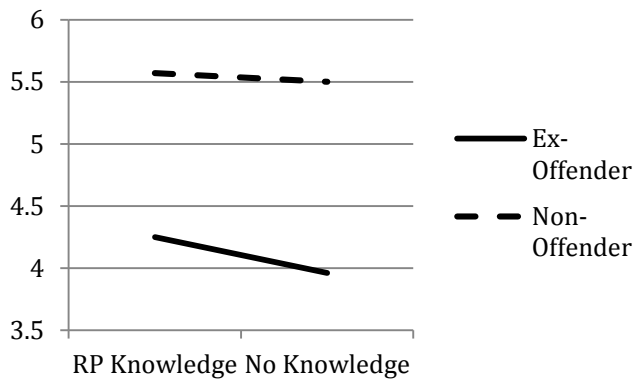


## Hypothesis 6: Redemption Point Information and Offender Status

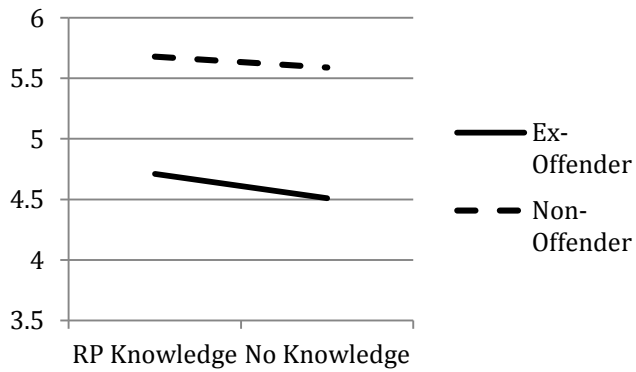
### *Interview*



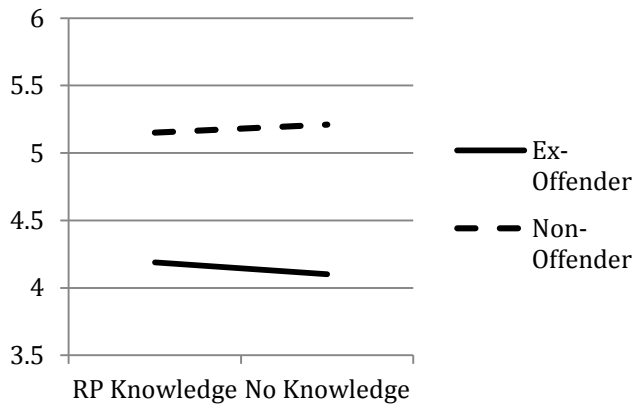
### *Hire*



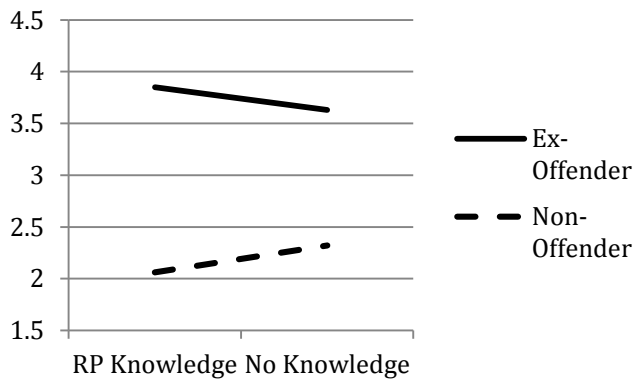
### *Task Performance*



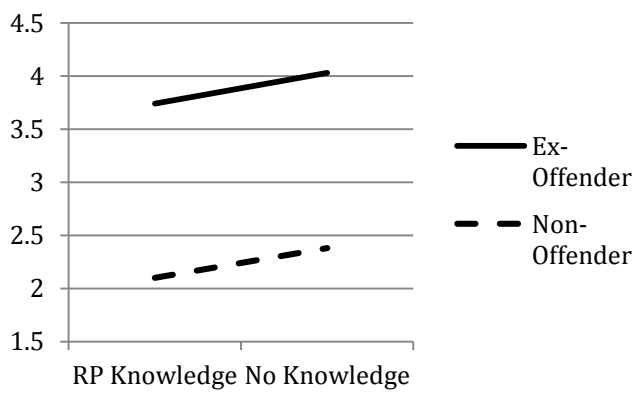
*Contextual Performance*



*Counterproductive Work Behaviors*



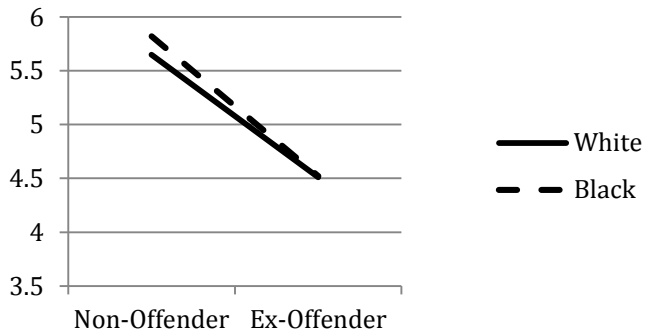
*Risk*



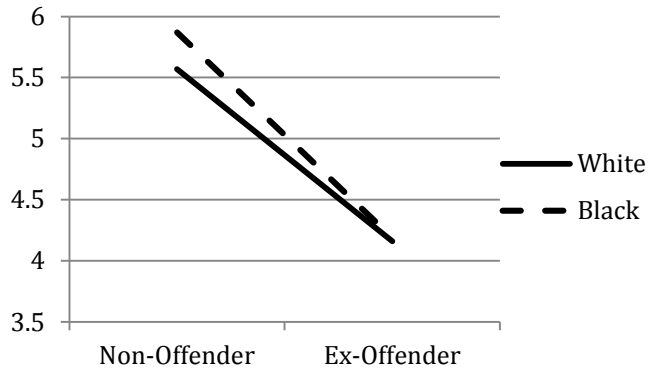
### Hypothesis 7: Race, Offender Status, and Redemption Point Information

#### Interview

##### Redemption Point Knowledge

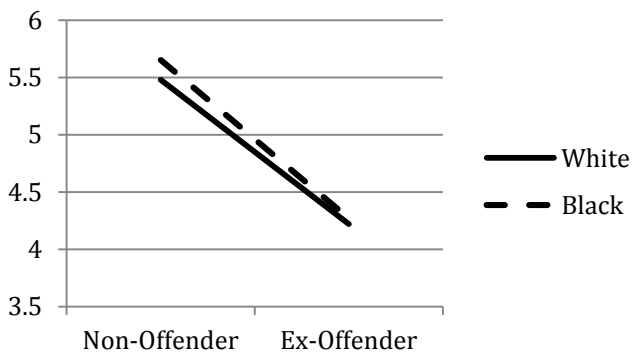


##### No Redemption Point Knowledge



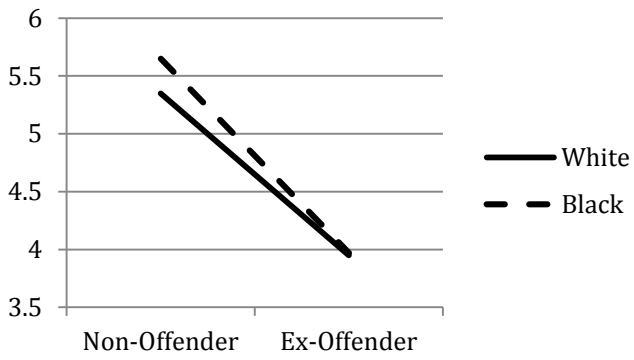
#### Hire

##### Redemption Point Knowledge



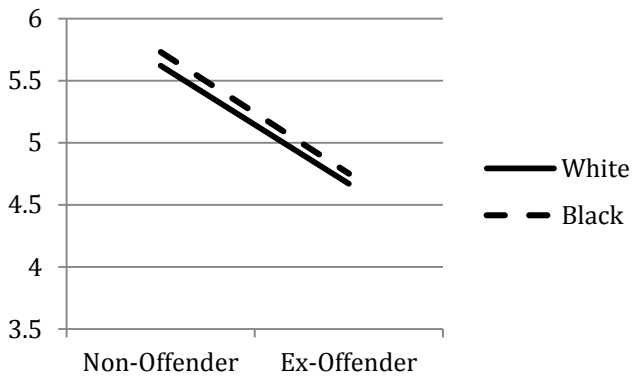


No Redemption Point Knowledge

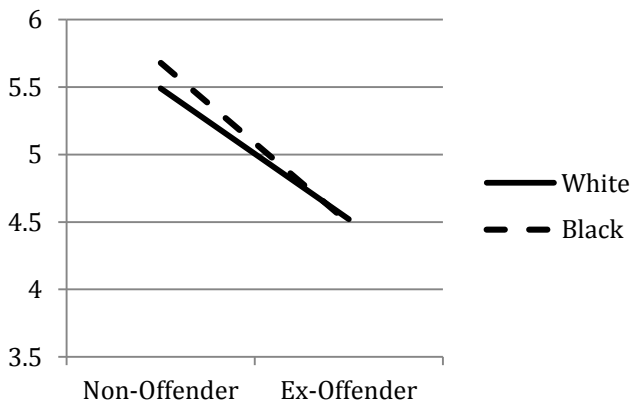


*Task Performance*

Redemption Point Knowledge

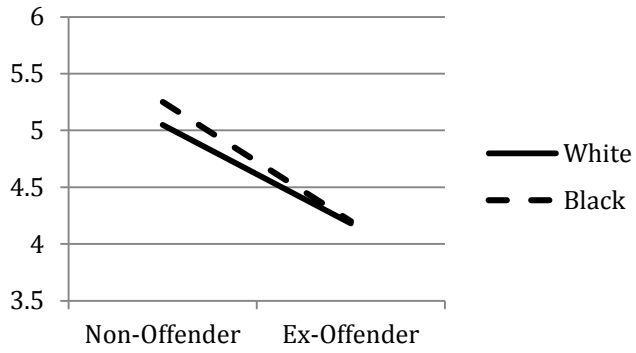


No Redemption Point Knowledge

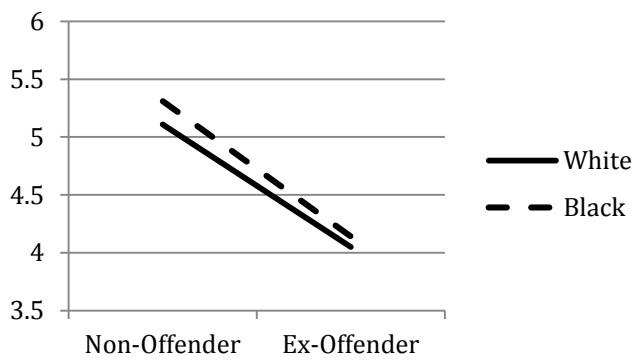


*Contextual Performance*

Redemption Point Knowledge



No Redemption Point Knowledge

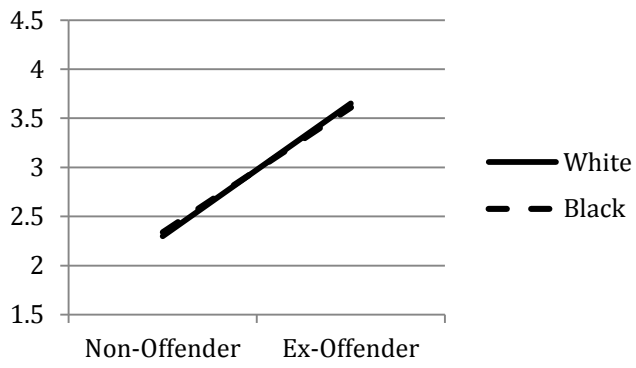


*Counterproductive Work Behaviors*

Redemption Point Knowledge

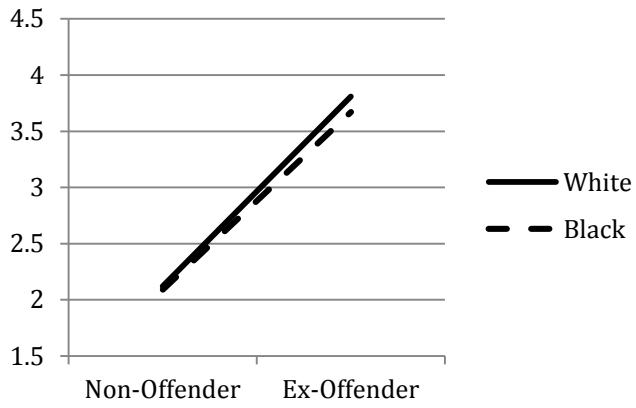


No Redemption Point Knowledge



*Risk*

Redemption Point Knowledge



No Redemption Point Knowledge

